

# 2011 Tippecanoe County Prosecutor's Office in the News

**December 19, 2011: WLFI TV**

## **Jury convicts Lafayette man on drug charges**



Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A jury finds a Lafayette man guilty of several drug charges.

Diangelo Young was convicted of Dealing Cocaine, Possession of Cocaine, Dealing Marijuana and Possession of Marijuana in Tippecanoe County.

According to the county prosecutor's office, Young ran from a police officer in Lafayette in May of this year. When he took off, officials said he threw several baggies on the ground, that contained marijuana and crack cocaine. DNA evidence linked Young to the drugs.

Young has a sentencing hearing set for January 12

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**December 16, 2011: WLFI TV**

## **Man sentenced to more than a decade in jail for OWI**



LAFAYETTE, Ind. (WLFI) - A Lafayette man is sentenced to more than a decade behind bars after pleading guilty to O-W-I causing death and forgery.

Dustin Cory Stevens was sentenced to 11 years in prison.

In October 2010, Stevens was driving the wrong way on an I-65 exit ramp when he hit a semi-truck.

Prosecutors said he tested positive for marijuana.

The woman in his car, Brooke Adams, died from her injuries in the crash.

In February of this year, Stevens was charged with forgery, fraud, and theft after he was accused of stealing checks from his mother.

**December 16, 2011: Lafayette Journal and Courier**

## **Mother admits she nearly smothered infant**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

The voices in Senora L. Wheeler's head wouldn't go away. Instead, the voices kept growing stronger.

On Nov. 28, 2009, they convinced the Lafayette woman that aliens were coming after her family -- prompting Wheeler to smother her 3-year-old son, Melvin Moon Jr., under her body weight because he kept "making noise," according to her court-appointed attorney, Pat Manahan.

The lack of oxygen severely damaged Melvin Jr.'s brain, and the boy, now 5, has limited mental capacity.

But despite being diagnosed with mental illnesses that include schizophrenia and disassociative identity disorder, Wheeler decided to scrap the insanity defense that Manahan had planned to present during her trial in January.

During a hearing Thursday, Wheeler, 25, pleaded guilty but mentally ill to neglect of a dependent causing serious bodily injury, a Class B felony.

If Tippecanoe Superior Court 2 Judge Thomas Busch decides to accept her plea agreement with the prosecutor's office, Wheeler could be sentenced to 10 years in prison, and additional charges of attempted murder and battery on law enforcement will be dropped.

Sentencing is scheduled for Jan. 20.

The charges against Wheeler stemmed from a incident in which she, her three children and an infant niece were spotted wandering outside in near-freezing temperatures the morning of Nov. 28, 2009.

When Lafayette police found them, Wheeler was lying facedown and stretched out under a pine tree at Union Street and Earl Avenue, with her two daughters and niece huddled beside her.

It wasn't until officers lifted Wheeler that they spotted Melvin Jr. The boy was unconscious and had no pulse.

During Thursday's hearing, Wheeler said she remembered leaving a relative's home and driving around with a friend as a passenger. She did not remember having any of her children in the car.

Shortly after her arrest, Wheeler was deemed incompetent to stand trial and spent several months at the state psychiatric hospital in Logansport.

For the sake of the guilty plea, Wheeler on Thursday agreed with facts presented by Manahan -- including that she eventually stopped driving and got out of the vehicle.

Her friend and kids followed her, eventually ending at the tree.

In the prior days, Wheeler had been hearing voices and had problems sleeping, Manahan said.

"He was making noise, and you thought he might alert the aliens to where you were?" Manahan asked Wheeler.

"Yes," she replied.

"And to protect your family, you stopped him from talking? And in doing so, you deprived him of oxygen?"

Manahan further asked.

"Yes," Wheeler replied again.

Melvin Jr. currently lives with his father, Melvin Moon Sr. of Lafayette. Moon Sr. was not at the Thursday afternoon hearing because it was scheduled on short notice, deputy prosecutor Laura Zeman said.

Attempts to reach him afterward were not successful. During prior court hearings, Moon Sr. had fought to keep his son on life support, despite doctor's recommendations, and a judge agreed.

Lafayette attorney Gregg Theobald, who represented Moon Sr. in those hearings, said Melvin Jr. still is not able to walk or speak because of the brain injury.

Manahan said Moon Sr. often has to use an aspirator on the boy, and he's pushed around in a special chair. The boy has no control of eye movements.

"He's one of the most compassionate people I've ever met in my life," Manahan said of Moon Sr. "It's been difficult, but he's providing excellent care for his son."

**December 16, 2011: WLFI TV**

### **Mother admits attempting to smother son**



LAFAYETTE, Ind. (WLFI) - A Lafayette mother said she attempted to smother her young son.

According to court documents, Senora Wheeler pleaded guilty -- but mentally ill -- to a felony charge of Neglect Resulting in Serious Bodily Injury.

She had also been charged with Attempted Murder and Battery on a Law Enforcement Officer.

In November of 2009, Wheeler was found choking and lying on her then 3-year-old son outside of the Family Video at Union and Earl Streets.

**December 16, 2011: Lafayette Journal and Courier**

### **Meth, child neglect cited in arrests of 2**

Two West Lafayette residents were charged with multiple felonies Thursday after being arrested for possession of methamphetamine and spice.

Floyd A. Merrell, 46, was charged in Tippecanoe Superior Court with possession of methamphetamine and possession of paraphernalia.

Melissa L. Hutcherson, 31, was charged with neglect of a dependent, assisting a criminal and maintaining a

common nuisance.

According to court documents, West Lafayette Police went to Hutcherson's home at 3019 Fall Place, WL, Tuesday to arrest Merrell, who was wanted on a warrant.

Hutcherson told police that Merrell wasn't at the home, but officers later found Merrell hiding in the attic.

While searching the home, police also found several baggies of "spice," methamphetamine and other chemicals. Hutcherson's 6-year-old son told police that he saw both suspects smoking out of a glass pipe. Spice is a synthetic marijuana, formulations of which have been banned in Indiana.

Merrell was previously convicted of conspiracy to commit dealing meth, failure to return to lawful detention, possession of a controlled substance, forgery and theft.

**December 16, 2011: Lafayette Journal and Courier**

## **Fatal OWI, forgery lead to 11-year sentence**

A Lafayette man was sentenced Thursday to 11 years in prison in part for having marijuana in his system when he killed his fiancée by driving the wrong way onto an Interstate 65 exit ramp.

Dustin C. Stevens, 29, pleaded guilty in October to operating while intoxicated with a controlled substance in his blood, causing death, a Class B felony. He also pleaded guilty to forgery, a Class C felony, in an unrelated case.

Tippecanoe Superior Court 2 Judge Thomas Busch handed down the sentence for both crimes to which Stevens pleaded guilty.

The fatal crash occurred on Oct. 2, 2010, on the northbound I-65 ramp at Indiana 26 in Lafayette. Stevens' 1992 Pontiac Bonneville and a semitrailer that was getting off the interstate collided.

Stevens' fiancée, 30-year-old Brooke C. Adams, was riding in the front passenger seat. She was flown to an Indianapolis hospital and later died from her injuries.

According to court documents, Stevens admitted to smoking marijuana five days before the crash.

Indiana law requires only that metabolites be present in a defendant's system to meet charges for operating while intoxicated with a controlled substance causing death.

Chief Deputy Prosecutor Kristen McVey said Stevens told investigators that he had taken Adams to Frankfort to buy "fake weed" the day of the crash.

Stevens was picked up for forgery in February 2011. McVey said Stevens and his new girlfriend, Heather Stewart, cashed about \$400 worth of checks that he stole from his mother and forged.

His prison time will be followed by four years on probation.

Stewart's forgery case is pending.

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**December 15, 2011: WLFI TV**

## **Two face charges after police said they found spice & meth in apartment West Lafayette man & woman face several charges**



WEST LAFAYETTE, Ind. (WLFI) - A West Lafayette man is accused of having spice, meth and materials to make meth.

46-year-old Floyd Alexander Merrell is charged with possession of methamphetamine and possession of paraphernalia. 31-year-old Melissa Louise Hutcherson faces charges of neglect of a dependent, assisting a criminal and maintaining a common nuisance.

According to court documents, police came to Hutcherson's West Lafayette home Tuesday for Merrell who was wanted on a warrant. Police said they found him hiding in the attic and also found several baggies that tested positive for meth and spice.

A child who lives at the house told police he saw Hutcherson and Merrell smoke out of a multi-colored glass smoking pipe.

Court documents reveal Merrell has been convicted of conspiracy to commit dealing meth, failure to return to lawful detention, possession of a controlled substance, forgery, and theft.

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**December 13, 2011: WLFI TV**

## **Man accused of molesting 4-year-old**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces eight felony charges, for allegedly inappropriately touching a young girl multiple times over the past five years.

27-year-old Richard L Dye was charged Tuesday in Tippecanoe Superior Court with seven counts of child molesting and one count of performing sexual conduct in the presence of a minor.

According to court documents, a girl told authorities Dye touched her inappropriately two to three times a week over a period of six years. The alleged abuse began when the girl was four years old.

A warrant has been issued for Dye's arrest.

**December 13, 2011: WLFI TV**

## **Man charged for alleged meth cooking**



- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces criminal charges, for allegedly making methamphetamine in a motel room.

36-year-old Robert Bise, Junior, is charged in Tippecanoe Circuit Court with attempted dealing in methamphetamine, possession of meth, possession of paraphernalia and having an illegal drug lab.

According to court documents, police saw Bise throw out a bag at a Motel Six, that included the materials and container used to make meth. Police also found materials to make the drug in Bise's car after a subsequent traffic stop, and said Bise admitted to officers he was trying to make meth in his motel room.

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**December 12, 2011: WLFI TV**

### **Two charged for alleged drug deals**



- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Two Lafayette men are facing felony charges, for allegedly selling crack cocaine and a look-alike substance to undercover police.

49-year-old Frederick Clark and 29-year-old Dwayne Saffold were both charged Monday in Tippecanoe Superior Court with nine felonies, including dealing cocaine, possession of cocaine, and dealing in a look-alike substance.

According to court documents, Clark sold crack cocaine to an undercover police officer on multiple occasions in October, which he allegedly obtained from Saffold. In one instance, the substance given to police was not actually cocaine, but a look-alike.

**December 12, 2011: WLFI TV**

## Suspected scam artist: part two

- Krista Henery

WHITE COUNTY, Ind. (WLFI) - Earlier this week, News Channel 18 reported that 51-year-old Edward Armstrong is facing 12 felony charges in Tippecanoe County, including corrupt business influence and several counts of home improvement fraud and theft.

Saturday, News Channel 18 spoke to several families who said they were victims of Armstrong's scam.

"We wanted him to build us a pole barn, because we lost our barn about 10 years ago in the fire," White County resident, Rose Dolick, said.

But it wasn't just any ordinary barn. Rose and William Dolick said when Mr. Armstrong came to their property in White County, he had other plans for what they thought was a great deal.

"He was going to put a room inside where they can store papers and such in it," William Dolick said.

But after Armstrong came several times to the Dolick's property to bring materials and to dig up concrete from their old barn, they didn't hear from him throughout the winter, which they thought was normal because of the freezing temperatures.

"We thought he was going to wait until spring to come. But he didn't come and he didn't come and he didn't come," Rose Dolick said.

"After I called him and found that his phone was disconnected and it wasn't a business phone and I started getting nervous. I thought something funny was going on because I couldn't get a hold of him with the number he was giving me," William Dolick said.

They never did get in touch with Armstrong and that's when they said they realized Armstrong scammed them for nearly \$11,000.

In West Lafayette, the Beckers were also victims of Armstrong's scam. Albert Becker said he paid Armstrong nearly \$35,000 to do work, but when Armstrong claimed he was finished, it wasn't what Becker had asked for. Becker said the roof has leaked since then, ruining personal property, the doors don't properly shut and the flooring wasn't what he had asked for.

"It wasn't that he didn't do any work, it's that he didn't do the quality he promised us...the thing I don't like is the terrible lies he told us," Becker said.

Becker said when he tried contacting Armstrong after he left him with a mess, Armstrong was nowhere to be found. He also said since dealing with this, he has had two stress-induced strokes.

Officials said it's been more than a year since most of the victims detailed in court documents filed this week contacted 51-year-old Edward Armstrong.

They said he's currently being held in Gibson County on similar charges.

Court documents list Armstrong as having 14 aliases, including Edward Silverthorne, Ed Branning, Ed Carpentry and Dallas Silverthorne.

Authorities said if you believe you were a victim, contact the Attorney General's Office.

**December 12, 2011: WLFI TV**

**Men accused of using inmate's credit card**





- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Two men from Delphi face charges in Tippecanoe County, for allegedly making multiple purchases on someone else's credit card.

19-year-old Nathan Dubes and 24-year-old William Christopher Emmitt were charged with multiple felonies in Tippecanoe Superior II Monday, including forgery, fraud and theft.

According to court documents, police identified the men from store surveillance, after a man they knew claimed his credit card was being used while he was in jail. More than 600 dollars was charged at multiple stores in Lafayette, West Lafayette and Delphi.

**December 12, 2011: WLFI TV**

### **Suspected scam artist has long history**



- Kristin Maiorano

TIPPECANOE COUNTY, Ind. (WLFI) - A man accused of defrauding several people out of tens of thousands of dollars for uncompleted pole barn projects has a lengthy criminal history, according to law enforcement.

51-year-old Edward Armstrong is facing 12 felony charges in Tippecanoe County, including corrupt business influence and several counts of home improvement fraud and theft.

Court documents detail the stories of six victims in Tippecanoe County, who told investigators they paid Armstrong tens of thousands of dollars for projects that were never completed. Among all of them, police said Armstrong got away with just under \$66,000.

"I definitely believe all these victims felt violated," said Tippecanoe County Sheriff's Lieutenant Dan McGrew. "Not just financially, but emotionally drained. I feel these victims were just as violated as any other victim of physical violence of some kind."

It's been more than a year since most of the victims detailed in court documents filed this week contacted 51-year-old Edward Armstrong. But McGrew said he hopes the 12 felony charges filed against Armstrong will lead to



justice for the six people he said fell prey to Armstrong's frauds.

"I'm glad we finally got this individual off the streets," he said. "Let's hope that we can get some justice here."

At Jeff Swank's home in Tippecanoe County, a new pole barn stands on his property. He said the project was supposed to be completed by Edward Armstrong, but told police he never heard from Armstrong again after he paid him nearly \$5,000 in June 2010. He didn't want to speak to NewsChannel 18 on camera, but simply told us, "He told a good story." And police said Swank wasn't the only one who believed that story.

"He's had a lot of convictions throughout the northern region," McGrew said.

McGrew said Armstrong has been investigated or convicted in Wisconsin and Ohio, as well as several other counties in Indiana.

McGrew said in many cases, victims did try to do their research before agreeing to pay Armstrong, but in some cases that wasn't enough.

"I believe there was one victim who told me she did some checking on the internet, looked for some things," he said. "Don't just count on the internet. Look for some local sources."

McGrew also suggested seeking out several bids for a job, and trust your gut feeling. If a quoted price seems too low, that could be a sign of fraud.

Court documents list Armstrong as having 14 aliases, including Edward Silverthorne, Ed Branning, Ed Carpentry and Dallas Silverthorne. If you believe you were a victim of Armstrong's, we'd like to hear from you. You can send us an email at [newsroom@wlfi.com](mailto:newsroom@wlfi.com).

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**December 7, 2011: WLFI TV**

## **Two charged for heroin dealing, possession**



LAFAYETTE, Ind. (WLFI) -

A Lafayette man and woman face several narcotic drug charges after police said they find heroin in their car.

29-year-old Jeremy Rigney and 22-year-old Logan Land are charged with several felony charges including dealing a narcotic drug, possession of a narcotic and possession of a syringe.

Court documents show Rigney is also a habitual traffic violator and habitual substance offender.

Officers pulled Rigney over for a traffic violation Friday and called in a K-9 unit.

Detectives said white powder found in the car tested positive for heroin.

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**December 3, 2011: Lafayette Journal and Courier**

## **27-year sentence in West Lafayette nightclub shooting**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Family members already feared that 22-year-old Antwain D. Harrison would be permanently paralyzed from a bullet that struck -- and remains lodged in -- his neck during a shooting in December 2010 outside a West Lafayette nightclub.

Two weeks ago, a doctor confirmed that fear.

"He will never use his arms or legs again," said Detective Jon Eager of the West Lafayette Police Department, relaying information from Harrison's mother. " ... He's in a living hell and has death to look forward to."

Eager testified Friday in Tippecanoe Superior Court 1 during the sentencing hearing for the man found guilty of shooting Harrison, 21-year-old Curtis J. Bacon of Indianapolis.

Judge Randy Williams sentenced Bacon to 27 years in prison -- six years shy of what Deputy Prosecutor Emily Orsinger requested, but 12 years more than the maximum that Bacon's attorney, Ralph Staples, suggested.

Bacon also must pay \$32,400 in restitution, largely for Harrison's medical care.

### *Indy's East Side Gang*

The two men were among a few hundred people who had attended a "Rated R Party" hosted by promoters from Indianapolis at Nick's Nightclub, 402 Brown St. in the West Lafayette Levee, on Dec. 4 and 5, 2010.

Orsinger argued during trial that Bacon and his friends targeted Harrison and his friends. A fight between the two groups that began inside the nightclub spilled into the parking lot when party security shut down the event early.

One of Bacon's friends, Donald Price, yelled "10th Street (expletive)!" while kicking Harrison in the head, Orsinger said Friday. That's a nickname for the ESG, or East Side Gang, in Indianapolis, according to Eager.

Several West Lafayette police units were already in the parking lot when multiple gunshots rang out. Harrison was the only person injured.

Additional bullets struck a vehicle in the parking lot and business property.

Bacon turned himself in to Indianapolis police on Dec. 15.

During trial, Staples had argued that prosecutors had nothing concrete tying Bacon to the shooting. Investigators never recovered the .32-caliber firearm linked to Harrison's injury.

But on Friday, Staples took a different approach -- arguing that Bacon was the shooter but did so "wildly" with no intention of harming anyone. Rather, Staples said, Bacon was merely reacting to the environment.

Friends of Harrison had testified during the trial that they, too, brought firearms with them from Indianapolis and that doing so was the norm at the large parties. Harrison also had been armed in the parking lot.

"What happened that night is what I would call ... an unfortunate event," Staples said. "Everyone there probably

had an idea of what could have happened that night.

"There was no justification for what happened, but there was an explanation."

Bacon chose not to speak during the sentencing hearing, Staples said. But he did write a letter to the court, detailing how his incarceration would affect his relationship with his four children -- one of whom was born while Bacon was in the Tippecanoe County Jail, awaiting trial.

He told Williams that he wants to appeal the convictions and sentence. A Tippecanoe County attorney was appointed to represent him.

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**December 2, 2011: Lafayette Journal and Courier**

## **27-year sentence in West Lafayette nightclub shooting**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

An Indianapolis man was sentenced this morning to 27 years in prison for a shooting outside a West Lafayette nightclub a year ago that permanently paralyzed another man.

A Tippecanoe County jury in October found Curtis J. Bacon, 21, guilty of shooting Antwain D. Harrison, 22, in the neck on Dec. 5, 2010, following a violent confrontation that began inside Nick's Nightclub and continued in the parking lot that early morning.

Bacon was sentenced today for seven felonies that include aggravated battery, criminal recklessness while armed with a deadly weapon and carrying a handgun without a license while having a prior conviction.

Five years of Bacon's sentence was an enhancement for using a firearm to commit the aggravated battery.

Bacon opted not to speak during today's hearing, his Indianapolis-based attorney, Ralph Staples, said during the proceedings. But Bacon did write a letter to the court, detailing how his incarceration would affect his relationship with his four children - one of whom was born while Bacon had been awaiting trial.

Though doctors already feared that Harrison's injuries might be permanent, a doctor told Harrison and his family two weeks ago that he will never regain use of his arms or legs, according to testimony today from Detective Jon Eager of the West Lafayette Police Department.

"He's in a living hell and has death to look forward to ...," Eager told Judge Randy Williams, explaining why he believed Bacon deserved a lengthy sentence.

Both Bacon and Harrison had attended a "Rated R Party" at Nick's on Dec. 5 that was hosted by promoters from Indianapolis.

According to trial testimony, Bacon and his friends picked a fight inside the nightclub with Harrison and his friends. Because several fights had broken out inside Nick's that evening, security began using pepper spray on partygoers and ended the event early - pushing everyone outside.

Several West Lafayette police officers were already in the parking lot when shots rang out. Harrison was the only person struck by bullets.

Bacon turned himself in nine days later.

During trial, Staples had argued that prosecutors had no concrete evidence tying Bacon to the shooting.

Investigators never recovered the .32-caliber gun linked to Harrison's injury.

But today, Staples took a different approach and argued that Bacon "shot wildly" and never met to hurt anyone. Rather, Staples said, Bacon was merely reacting to a scene that all partygoers knew could happen at Nick's that night.

Friends of Harrison had testified during trial to bringing firearms with them from Indianapolis and that it was common to do so.

"What happened that night is what I would call lucky ... an unfortunate event," Staples said. "Everyone there probably had an idea of what could have happened that night.

"There was no justification for what happened, but there was an explanation."

**December 2, 2011: Lafayette Journal and Courier**

## **Mom sentenced for neglecting 9-year-old**

A Lafayette woman won't spent time behind bars for neglecting her 9-year-old daughter.

The neglect had reached the point that the girl appeared to have not bathed in weeks and had to be treated for lice, scabies and flea bites all over her body.

Instead, 38-year-old Brenda M. Chiarappa was sentenced Thursday to six months on community corrections -- work release, home detention or day reporting -- and one year on supervised probation.

Chiarappa pleaded guilty in March to neglect of a dependent, a Class D felony.

The Indiana Department of Child Services removed Chiarappa's daughter from her care in August 2010, after a woman spotted the girl alone for about two hours on a playset in the 1200 block of Brown Street and called Lafayette police.

The woman also saw the girl defecate outside, according to court documents.

The girl led a DCS employee and Lafayette police officer to Chiarappa's apartment on Cincinnati Street, about two blocks away.

They found what appeared to be both cat and human feces on the balcony, along with dirty clothes and trash throughout.

At the time, Chiarappa told investigators that her daughter was autistic and had problems hoarding plastic bottles and empty boxes. Investigators, however, believed it was Chiarappa herself.

During Thursday's sentencing hearing, Judge Randy Williams noted that Chiarappa suffers from mental health issues. But that was countered by the harm caused to her daughter.

As part of her sentence, Chiarappa was told that she cannot be a caregiver.

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**November 29, 2011: Lafayette Journal and Courier**

## **Man charged with seduction of teen**

A 44-year-old Lafayette man is accused of fathering a child with a teenager who formerly was under his care.

John E. Gardner was charged earlier this month in Tippecanoe Superior Court 1 with three counts of sexual misconduct, two as a Class B felonies and one Class C felony.

Gardner was being held Tuesday in the Tippecanoe County Jail on a \$25,000 surety bond.

The teenager was 15 years old when she gave birth to a daughter in September 2009, according to a probable cause affidavit.

Detective Joe Clyde of the Lafayette Police Department said the teen only recently came forward with the allegations, after officials were trying to determine who is the baby's father.

Clyde said the paternity issue came about through the Indiana Department of Child Services and because of child support concerns.

The girl was interviewed in October at Heartford House, during which time she alleged that sexual intercourse with Gardner began when she was 14 years old and occurred more than 25 times, according to the affidavit.

Gardner reportedly made incriminating statements that matched the girl's story.

Clyde said other children had been living in Gardner's home at the time, but the teen is believed to be the only victim.

Gardner was appointed a public defender last week.

A court order has been issued that prohibits Gardner from contacting the teen.

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**November 23, 2011: WLFI TV**

### **KFC burglary suspects face felony charges**



LAFAYETTE, Ind. (WLFI) - Burglary suspects accused of breaking into a Lafayette Kentucky Fried Chicken face eight felonies each.

20-year-old Michael Billups, 19-year-old Michael Moutry and 19-year-old Christopher Hale face two counts of burglary, two counts of theft, one count of conspiracy to commit theft, one count of attempted theft, one count of attempted burglary and one count of conspiracy to commit burglary.

The men are accused of breaking into this KFC in addition to a car dealership next door on Teal Road a week ago.

When officers arrived at the scene, they saw a male dressed in dark clothing and wearing gloves. When ordered to stop, the man, later determined to be Billups, ran from the store. He was caught when he reached a chain link fence.

An officer retrieved keys that appeared to belong to a car dealership and box cutter from Billups. A black crow

bar and glasses were located near the spot Billups was captured.

Officers said Billups claimed to be 16 years old when apprehended, but they later determined he was 20 years of age.

Officers then discovered Hale crouching near a residential garage after fleeing KFC and gave up the names of Billups and "Mike".

Officers arrested Moutry soon after in Billups' apartment.

Court documents accuse the men of breaking open a cash register, taking cash, laptops, nine sets of car dealer car keys and a safe.

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**November 22, 2011: WLFI TV**

## **Child molester sentenced to 50 years**

TIPPECANOE COUNTY, Ind. (WLFI) - A man convicted of molesting his children's friends receives his sentence Tuesday.

Billy Bruce was sentenced to 50 years in prison altogether.

His attorney told Tippecanoe Superior Two Judge Thomas Busch Bruce attempted suicide at the jail Tuesday, and did not feel he was able to go forward with the hearing.

However, Judge Busch ruled to continue with the sentencing.

Bruce was convicted on two counts of child molesting in early September.

The events leading to his conviction happened when friends of Bruce's kids came over to play at their house.

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**November 19, 2011: Lafayette Journal and Courier**

## **Mom charged with trying to sneak drugs to jailed son**

A Romney woman and her boyfriend are accused of trying to sneak drugs to her son in the Tippecanoe County Jail by hiding a package of pills in the courthouse for another inmate to grab.

Shelly M. Robinson, 41, and Anthony T. Massengill, 37, were charged Friday in Tippecanoe Superior Court 2 with conspiracy to commit dealing a controlled substance; attempted dealing in a controlled substance; dealing in a controlled substance; conspiracy to commit trafficking with an inmate; and possession of a controlled substance.

All the counts are felonies.

Robinson was being held on a \$40,000 surety bond. Massengill was being held without bond.

The investigation began Nov. 15, when jail commander and sheriff's Capt. Denise Saxton listened to phone conversations between inmate Joshua Robinson and his mother.

According to a probable cause affidavit, they're accused of plotting to have Shelly Robinson leave a package of pills in the Tippecanoe Superior Court 6 courtroom for another inmate to pick up during a hearing on Nov. 16.

The second inmate is not mentioned by name.

Two sheriff's detectives were outside Superior Court 6 when Shelly Robinson and Massengill showed up about 7:30 a.m. They watched as Massengill allegedly walked up to a chair in the jury box and began "messaging around" with it.

Robinson and Massengill were stopped after leaving. He allegedly was carrying a package wrapped in tape, the contents of which included loose tobacco and more than 70 pills of varying type.

A CVS pharmacist identified the pills as prescription medications, such as muscle relaxers and drugs to treat anxiety disorders and other ailments.

**November 19, 2011: Lafayette Journal and Courier**

## **Convicted child molester sentenced to 70 years**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Kyle W. Lynch was 6 when an uncle began molesting him -- at times, providing alcohol first so Lynch would become drunk and pass out, according to his attorney, Pat Manahan.

This continued for nine years, until Lynch turned 15.

While sympathetic to Lynch's plight, Judge Randy Williams of Tippecanoe Superior Court 1 said it was no excuse for the Lafayette man to turn around and subject another child to sexual abuse.

The 3-year-old victim Lynch abused had to be hospitalized in Indianapolis for rectal injuries.

Lynch, 24, was found guilty in October of child molesting as a Class A felony following a three-day jury trial. Afterward, he pleaded guilty to being a habitual offender, based on two unrelated felony shoplifting convictions.

On Friday, Williams sentenced Lynch to 70 years in prison. Because child molestation is considered a credit-restricted offense, Lynch must serve 85 percent -- or 59 years and six months -- of his sentence, instead of the standard half.

"It's easy for the prosecutor to come in and ask for the maximum with facts like this," Williams told Lynch. " ... You knew what you did was wrong."

Lynch was an acquaintance of the boy's family.

He had been baby-sitting the 3-year-old on Oct. 13, 2009, at the home of the boy's maternal grandmother. The grandmother came home that afternoon to the boy crying and Lynch wiping the boy's buttocks with a towel.

Deputy Prosecutor John Schafer on Friday described the injury as "heinous" and the most significant injury he had ever seen. Though the boy currently does not remember what happened, Schafer said there's no way of predicting the possible long-term effects.

The boy's mother did not attend Lynch's sentencing hearing, but she wrote a letter to the court, stating that she and her son have difficulty trusting people now.

Another family acquaintance, Timothy D. Copley, initial confessed to the crime. But suspicion shifted to Lynch after DNA testing showed that bodily fluids on the boy's underwear came back as a match to Lynch.

Lynch did not testify during his trial or Friday's sentencing hearing. According to court documents, he told investigators that he had a "sick thought" and "wasn't thinking" when he picked up the 3-year-old, then unzipped



his own pants.

Manahan said his client suffers from numerous mental illnesses, including post traumatic stress disorder from being molested for nine years. He also has been diagnosed with major depressive disorder and mild mental retardation.

Lynch's criminal history dates back to 2003, when he was a juvenile. Because cases against him were transferred to Fountain County, the probation department could not find any information on whether Lynch received rehabilitative services.

Williams said that was cause for concern.

"The system failed the victim in his case," Williams said. "As a result, as a possible result, a 3-year-old was victimized in a heinous manner."

Lynch's sentence is 10 years shy of the maximum he faced. Indiana's high courts have consistently held that maximum sentences be reserved for "the worst of the worst."

Williams cited a similar molestation case in Marion County, where the Supreme Court reduced the defendant's sentence, as why he did not hand down the maximum to Lynch.

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**November 18, 2011: WLFI TV**

### **Child molester sentenced to 70 years**



LAFAYETTE, Ind. (WLFI) - 24-year-old Kyle Lynch was sentenced in court Friday for molesting a 3-year-old boy who was left in his care in October 2009.

Lynch was sentenced to 40 years for child molesting and 30 years for a habitual offender sentence enhancement, making his time in prison a total of 70 years.

Prosecution argued Lynch was the cause of injuries to the boy's rear end that sent the child to Riley at IU Health for a week in October 2009. The boy was a relative of Lynch's wife at the time, now ex-wife, and had been placed in his care for a short period of time.

**November 18, 2011: Lafayette Journal and Courier**

### **Guilty verdict in hit-and-run that killed girl, 15**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

The Tippecanoe County prosecutor's office had a challenge ahead this week while trying to prove -- through witness testimony alone -- that Robert V. Kirts II was drunk when he struck and killed a Wea Ridge Middle School

student in February.

But to jurors, it was enough. They deliberated for about two hours Thursday afternoon before finding Kirts guilty of operating while intoxicated causing death, a Class B felony; failure to stop after an accident causing death, a Class C felony; and failure to give notice of a serious accident, a Class C misdemeanor.

Kirts faces up to 28 years in prison. Attorneys will meet with Tippecanoe Superior Court 1 Judge Randy Williams today to schedule a sentencing date.

The 43-year-old Lafayette man was accused of hitting 15-year-old Ebony Knight from behind on Feb. 27 while she and a cousin were walking on the shoulder of Indiana 25 West, near Beck Lane.

The impact pushed Knight's body into the road, and Kirts' Jeep Liberty ran over Knight's body as he fled the scene.

The cousin, 14-year-old Levaria Bryant, was among the first witnesses to testify in Kirts' trial, which began Tuesday.

"We were very close," Bryant said of Knight. "Ebony (had) been living with us a couple years. She was really funny."

The two girls had walked to Walgreens, less than two blocks from their home off Indiana 25 West, that evening to buy school supplies.

Deputy Prosecutor John Schafer had argued that Kirts spent Feb. 27 drinking at two Lafayette bars before the crash -- two beers at Hop's Shawnee Tavern, a Hop's employee testified, followed by more beers and shots at Champs Bar, according to court testimony and documents.

Because Kirts left and was not arrested until Feb. 28, investigators could not get his suspected blood-alcohol content.

But Kirts' wife, Lisa Kimbrell-Kirts, testified for the state on Wednesday that when her husband came home about 8:45 p.m. Feb. 27, she could tell he had been drinking.

He also admitted to her that he was involved in a crash.

Kirts did not testify during his trial.

His attorneys, public defenders Rachael Schexnailder and Mike Trueblood, had argued that the state could not prove Kirts was intoxicated or driving recklessly when he struck Knight.

Williams, the judge, dismissed an additional count of reckless homicide against Kirts after his attorneys asked for a directed verdict.

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**November 17, 2011: WLFI TV**

**Police say teen beat girlfriend with Shake Weight dumbbell  
Teen allegedly beat girlfriend with dumbbell**



- [Tiffanie Dismore](#)

WEST LAFAYETTE, Ind. (WLFI) - A man faces two felonies after allegedly beating his girlfriend with a Shake Weight dumbbell. 19-year-old Jonathan T. Noe is charged with Battery and Strangulation, both felonies. He is also charged with Invasion of Privacy.

Court documents state Noe knowingly and intentionally violated a protective order to keep him from abusing, harassing, or disturbing the peace of the victim, his girlfriend. The order was filed in Porter County in June.

The victim told police Noe, her boyfriend, was unhappy with her and began kicking her and beating her until she was knocked unconscious after he attended a party in Willowbrook Apartments in West Lafayette.

When police arrived at the apartment complex, they said the woman's eyes were swollen shut and her mouth was so swollen she could hardly speak. Police noted in court documents four of her teeth were knocked loose and pushed back toward her throat.

Medical records in the court documents reveal the victim suffered a hematoma to her head, a fracture to her right eye socket, a broken nose, a blowout fracture on her face, a concussion and multiple bruises.

**November 17, 2011: WLFI TV**

### **Kirts trial now in hands of jury Man accused of fatal hit and run that killed teen**



- [Liz Nichols](#)
- [Tiffanie Dismore](#)

LAFAYETTE, Ind. (WLFI) - The trial of a man accused of hitting and killing a teenage girl with his SUV wrapped up Thursday morning. Robert Kirts, II, is facing charges of Operating a Vehicle While Intoxicated Resulting in Death and Reckless Homicide.

Investigators said he was drunk when he hit and killed 15-year-old Ebony Knight on February 27, 2011. The jury heard evidence from the prosecution this week that Kirts drank between 10 and 20 alcoholic beverages before

the accident. Kirts' attorney claims the state does not have the evidence to prove his client had been drinking or driving recklessly.

Knight's family told NewsChannel 18 they want justice. They hope the jury will find Kirts guilty. Closing arguments in the case we're heard Thursday morning. The case is now in the hands of the jury.

NewsChannel 18 will update this story when a verdict is reached.

**November 17, 2011: Lafayette Journal and Courier**

## **Defense rests in fatal hit-and-run trial Moves to drop OWI, reckless homicide charges**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Tippecanoe Superior Court 1 Judge Randy Williams is being asked to throw out some of the charges filed against a Lafayette man who's on trial this week for leaving the scene of a vehicle-pedestrian collision that killed a 15-year-old girl.

Attorneys for 43-year-old Robert V. Kirts II are arguing that prosecutors did not present sufficient evidence to show that Kirts was intoxicated or drove recklessly when he struck 15-year-old Ebony Knight from behind on Indiana 25 West the night of Feb. 27.

On Wednesday afternoon, they asked Williams for a directed verdict that would essentially find Kirts not guilty of operating a vehicle while intoxicated causing death and reckless homicide.

Williams did not immediately issue a ruling. If he agrees, jurors will not be able to deliberate on those counts.

The move by public defenders Rachael Schexnailder and Mike Trueblood came after both the state and defense rested Wednesday afternoon. Kirts chose not to testify, and no witnesses were called on his behalf.

But jurors did watch his videotaped interview with Lafayette police Officer Matt Devine and Sgt. Max Smith, during which Kirts admitted drinking one or two beers at Hop's Shawnee Tavern on Feb. 27 to watch a race a few hours before Knight was killed.

Kirts denied going to another bar, but that contradicted other witnesses who reported seeing him at Champs Bar on Earl Avenue.

Kirts claimed he was not intoxicated and instead fled the scene because his driver's license had been suspended.

When asked why he initially lied about being at home, Kirts replied, "To be honest with you, I was scared."

Smith pointed out during the interview that Kirts admitted to calling police on two prior instances after hitting a dog and a deer in the road - but not on Feb. 27 after hitting, then running over, Knight.

Because Kirts left the scene, investigators do not have a blood-alcohol content. Kirts was arrested on Feb. 28, and Indiana law requires that blood tests be drawn within three hours of any crash involving death or injury.

Prosecutors instead had to rely on witnesses who either drank with Kirts, served him alcohol or saw him intoxicated on Feb. 27. He's suspected of having numerous beers and two strong shots of mixed liquor.

Knight and her cousin had been walking west on Indiana 25 West. She was walking to the right or outside the "fog line" - a white line that marks the right edge of the driving lane near the shoulder - when she was hit.

Deputy Prosecutor John Schafer argued that alone shows Kirts had been driving recklessly, since his Jeep Liberty

had to veer off the travel portion of the road in order to hit her.

Witnesses also testified that there were no other cars stopped or turning on Indiana 25 West that night that would have caused Kirts to swerve, Schafer said.

Schexnailder, however, said briefly looking away from the road or fumbling with the radio can be considered negligent - rather than reckless - behavior, and courts have reversed convictions based on that.

Closing arguments will take place today.

**November 17, 2011: Lafayette Journal and Courier**

## **West Lafayette man charged with beating girlfriend**

A West Lafayette man was charged with two felonies Thursday after allegedly beating his girlfriend with a Shake Weight dumbbell.

Jonathan T. Noe, 19, was charged with battery by means of a deadly weapon, a Class C felony, and strangulation, a Class D felony. He was also charged with misdemeanor invasion of privacy.

On the night of Nov. 9, Noe violated a protective order filed in Porter County to keep him from abusing or harassing his girlfriend, according to court documents.

The protective order was filed in Porter County in June.

The assault occurred in the victim's apartment following a party at Willowbrook Apartments.

Noe told his girlfriend that he was unhappy and began beating her, police said.

When police arrived at the apartment, the victim's eyes were swollen shut, multiple teeth had been knocked inward and her mouth was so swollen she could barely speak.

The victim told police that she was rendered unconscious at one point, and she remembered being struck multiple times with a Shake Weight dumbbell.

The victim was taken to St. Elizabeth East hospital. She suffered a subdural hematoma to her head, a fracture to her right eye socket, a broken nose, multiple contusions, a blowout fracture on her face, a concussion and multiple bruises.

Noe was being held in Tippecanoe County Jail Thursday night on a \$7,500 surety bond.

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**November 15, 2011: WLFI TV**

## **Men charged in undercover bust**



Donte Bush



Randall Williams

LAFAYETTE, Ind. (WFLI) - Two men each face more than ten felony charges in Tippecanoe County, for allegedly selling hundreds of dollars worth of crack cocaine to undercover police officers.

25-year-old Randell Williams is charged with 15 felonies, and 24-year-old Donte Bush is charged with 12 felonies in Tippecanoe Superior Two. Their charges include Conspiracy to Commit Dealing in Cocaine, and several counts each of dealing cocaine and possession of cocaine.

According to court documents, Williams was in contact with undercover police on several occasions, in which he sold crack cocaine to officers. He also put officers in contact with Bush on a couple of occasions, including on instance where Bush allegedly sold crack cocaine to police across the street from McCutcheon High School.

**November 15, 2011: Lafayette Journal and Courier**

## **Evidence paints grisly hit-and-run scene**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Walgreens receipt and blood were found in the suspension and undercarriage of a Jeep Liberty owned by a Lafayette man accused of fleeing from a pedestrian crash that killed a Wea Ridge Middle School student in February, court testimony on Tuesday revealed.

Fifteen-year-old Ebony Knight and her cousin, 14-year-old Levaria Bryant, had walked to Walgreens on Old U.S. 231 South - less than two blocks from their home off Indiana 25 West - around 8 p.m. Feb. 27 to buy a binder and other school supplies.

On their walk back home, Knight was hit from behind by a dark-colored Jeep Liberty that prosecutors say was driven by Robert V. Kirts II.

Kirts, 43, is on trial this week in Tippecanoe Superior Court 1 for five felony charges that include reckless homicide, operating a vehicle while intoxicated causing death and failure to stop after an accident causing death.

Bryant was among the state's witnesses who testified Tuesday afternoon.

"I just saw her on her back on the front of the car. Then she fell. Then she was run over," Bryant told jurors.

And immediately after, the dark-colored truck "sped off. ... It was going really fast.

"I ran to her."

Knight was not moving or speaking, and she did not appear to be breathing, Bryant said, recalling how the

impact knocked Knight out of her boots.

Jeff Cuppy was pumping gas at Casey's. He told jurors he heard a "violent impact" and saw a dark-colored vehicle "off the ground" - akin to hitting a speed bump at high speed. Cuppy then called 911 as the vehicle sped away from the scene.

Kirts was arrested on Feb. 28, after a Lafayette police officer drove through south-end neighborhoods in search of a vehicle that matched the one that hit Knight. The Jeep Liberty - with extensive damage to the hood, front grill and passenger side headlight and wheel - was parked outside Kirts' home in the Royal Oaks Estate Mobile Home Park.

Officer Will Carpenter testified Tuesday that a Walgreens receipt was found stuck in the Jeep's suspension. The receipt had a time stamp of 8:39 p.m. Feb. 27, which matched when Knight was at the store.

Detective Paul Huff swabbed underneath the Jeep, and one of those swabs revealed blood, Carpenter said. Testimony as of Tuesday had not addressed whether it was a match to Knight.

Deputy Prosecutor John Schafer is arguing that Kirts was highly intoxicated at the time. Though Kirts left the scene, witnesses came forward afterward and admitted to either serving Kirts at Lafayette-area bars or drinking with him in the hours before the crash.

Kirts' wife also told investigators that her husband had gone to Hop's Shawnee Tavern on Feb. 27 to watch a televised race.

His attorneys, public defenders Rachael Schexnailder and Michael Trueblood, are conceding that Kirts is the person who hit Knight. But they're arguing that Kirts was not intoxicated.

According to court documents, Kirts is suspected of consuming an estimated seven beers and two shots of a strong concoction called "liquid cocaine."

Testimony continues this morning. The trial is expected to run through Thursday.

**November 15, 2011: WLFI TV**

## **Trial begins for hit-and-run suspect Accused of hitting and killing 15-year-old girl**

LAFAYETTE, Ind. (WLFI) - The trial is set to begin Tuesday for the man accused of hitting and killing a teenage girl with his car.

43-year-old Robert Vernon Kirts II is charged with four felonies, including Operating a Vehicle While Intoxicated Resulting in Death, Reckless Homicide and Failure to Stop After an Accident Resulting in Death.

15-year-old Ebony Knight was walking along State Road 25 in Elston on February 27 when she was hit and killed.

Court documents show Kirts had been drinking at two different Lafayette bars the day of the crash. He told police he thought he hit an animal on his way home that night.

Deputy Prosecutor John Schafer said the jury will hear evidence this week that Kirts spent the day drinking before he hit Ebony, and consumed 10-20 alcoholic beverages.

However, Kirts' defense attorney told the jury the state doesn't have the evidence to prove he was intoxicated or driving recklessly.

She said Kirts expects to be convicted of Leaving the Scene of an Accident, and to be punished for what he did.



She said he was scared, and still regrets leaving the scene after hitting Ebony.

But Ebony Knight's family say they want justice.

"This is not this man's first time, first count on DUI. I just want him to serve his time, because he took my sister away," said Danielle Knight, Ebony's sister.

Ebony Knight's sister was too emotional to continue with an interview, but she wanted us to report this statement: "I just want this man to be behind bars because it took for him to take someone's life for the police to notice he shouldn't be on the street. This is not his first time with DUI. I think he should serve life, he took my sister's life, He shouldn't have the freedom to run the streets."

Ebony's cousin, Levaria Bryant, was at the courthouse Tuesday as well. She said it has been an emotional time for her, and she is scheduled to testify in the trial this week.

Jury selection was underway Tuesday morning, with opening arguments scheduled for the afternoon.

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**November 8, 2011: Lafayette Journal and Courier**

## **Ex-dean Malavenda pleads not guilty in theft case**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Former Purdue University associate dean Robert P. "Pablo" Malavenda will tentatively stand trial in January on accusations that he stole pumpkins, smoke alarms, light bulbs and bedding from the West Lafayette Walmart last month.

The 50-year-old Malavenda made his first court appearance Monday morning before Judge Les Meade of Tippecanoe Superior Court 5. Malavenda pleaded not guilty - standard practice during initial hearings - to charges of theft, a Class D felony, and conversion, a Class A misdemeanor.

Outside the courtroom, Malavenda shook his head and said "no" when asked whether he had any comment to make about the accusations that ultimately led to his termination from Purdue on Oct. 28.

University spokeswoman Jeanne Norberg confirmed again Monday that Malavenda was fired.

As associate dean, Malavenda oversaw more than 690 student activities and organizations on the West Lafayette campus, which included fraternities, sororities and independent housing units.

He further was in charge of handing out discipline when those organizations broke student codes of conduct, such as hazing or serving alcohol to minors.

Under Purdue's policies, Malavenda can appeal his firing. Norberg on Monday referred questions to Malavenda on whether an appeal has been filed.

The charges against Malavenda stem from events on Oct. 8, when he allegedly was caught on store surveillance camera returning \$160.17 worth of items that he did not actually purchase.

He was accompanied in court Monday by his attorney, Tom O'Brien.

Investigators allege that Malavenda initially bought smoke alarms and bedding from Walmart at 2801 Northwestern Ave., then walked back into the store with his receipt and empty, reusable shopping bags.

He's accused of grabbing the same items to return.

Investigators allege that Malavenda then took light bulbs and pumpkins on his way outside.

Martia Brawner is serving as interim associate dean of students while Purdue conducts a search to fill the position.

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**November 7, 2011: WLFI TV**

### **Man charged in police chase Faces eight charges, five felonies**



LAFAYETTE, Ind. (WLFI) - A man suspected of leading police on a chase with a 5-year-old child in the back of his car is now facing eight criminal charges, including five felonies.

32-year-old Ronald Mayberry was formally charged Monday in Tippecanoe Superior Court I. His charges include Dealing Cocaine, Possession of Cocaine, Neglect of a Dependent, and Resisting Law Enforcement.

According to court documents, on October 31, State Police attempted to pull Mayberry over for speeding on I-65. When the trooper approached the car on the State Road 25 exit ramp, police said Mayberry took off and eventually crashed into an electrical pole.

Mayberry fled by foot but was caught by three witnesses. Police found there was a small child in the back seat, as well as marijuana and cocaine in the car.

**November 7, 2011: WLFI TV**

### **Former PU dean appears in court**

A former Purdue University dean accused of shoplifting from a West Lafayette Wal-Mart appeared in court Monday morning.

50-year-old Robert Pablo Malavenda was the second of about a dozen people to appear before Tippecanoe Superior Five Judge Les Meade. Judge Meade read Malavenda's charges to him and his attorney -- a Class D felony charge of theft and a Class A Misdemeanor for Conversion.

The court entered a preliminary plea of not guilty, and scheduled a jury trial for January 17.

[Court documents allege](#) Malavenda purchased several items from Wal-Mart last month, re-entered the store with the receipts and walked out with the same items again. He then allegedly returned to a different entrance and returned the second set of items for about \$160. He is also accused of stealing three pumpkins from the store's parking lot.

At the time, Malavenda was employed by Purdue University as the Associate Dean of Students. His employment

with the university has since been terminated.

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**November 5, 2011: Lafayette Journal and Courier**

## **Prosecutor: Officers acted legally in fatal shooting**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Lafayette police acted well within Indiana law when they shot and killed 39-year-old Paul J. Spencer on Oct. 19 after he stabbed an officer with a knife, Tippecanoe County's prosecutor says.

Pat Harrington said Friday he is not pursuing criminal charges against officers Jeffrey Webb and Joe Fisher, who fired a combined 10 shots, seven of which hit or grazed Spencer.

The decision was made after reviewing police reports from the criminal investigation and video footage of responding officers' in-car cameras, Harrington said.

"The only criminal action that occurred was that of Mr. Spencer," he said. "The officers responded correctly under Indiana law, due to the fact that they were faced with imminent loss of life."

That morning, Spencer stabbed Officer Ron Dombkowski in his left cheek. Dombkowski spent about 34 hours in a Lafayette hospital.

He has since been cleared to return to work but is taking previously scheduled time off, Deputy Chief Dave Payne said Friday.

Webb and Fisher, who were placed on paid administrative leave immediately following the shooting, have returned to work, Payne said. An internal shooting review board cleared them on Oct. 25 of any wrongdoing.

Events that led to Spencer's shooting death began at 4:50 a.m. with a 911 call from a neighbor who reported a fire at 643-A Oregon St., the home of Spencer's girlfriend.

That led to a vehicle pursuit ending when Spencer crashed his Cadillac into an embankment at Potomac Avenue and South Ninth Street.

Vehicles driven by Dombkowski and Webb then stopped behind the Cadillac.

Lafayette police said Spencer then jumped out, ran toward Dombkowski and stabbed him -- prompting Webb and Fisher to fire their duty weapons.

Spencer's sister, Heather Spencer, previously told the Journal & Courier that the family believes the shooting was not justified.

A message left Friday afternoon for Spencer was not returned by 9 p.m.

Payne led the six-member, internal review board that investigated the shooting.

In his recommendation to Lafayette Police Chief Don Roush, Payne said that Dombkowski was "at great risk" and that Webb and Fisher acted quickly and appropriately in defense of his life.

Roush agreed with the board's finding.

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## **Lawyer's suspension affects homicide trial**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

It can be difficult enough to reschedule a weeklong trial in Tippecanoe County courts, let alone one expected to last three weeks.

But court staff will likely have to for Edward C. Zaragoza, a Mooresville man charged with felony murder, murder, conspiracy to commit robbery and nine other felonies in the April 8, 2010, shooting death of 21-year-old Kory D. Rogers.

On Thursday, Zaragoza's defense attorney, Patrick Baker of Indianapolis, filed paperwork to withdraw from the case. Zaragoza is scheduled to stand trial beginning Feb. 7 in Tippecanoe Superior Court 1.

The Indiana Supreme Court last week suspended Baker from practicing law for six months and found him guilty of violating professional conduct rules in another homicide case. He will not be automatically reinstated.

Baker represented John P. Myers II, an Ellettsville man convicted in 2006 of killing 19-year-old Indiana University student Jill Behrman in 2000.

The high court said that Baker misled jurors by making false claims during his opening statement and charged Myers' family for copying costs, despite agreeing to take the case on for free -- among other misconduct findings.

Tippecanoe County Prosecutor Pat Harrington said Thursday that he was not able to comment on how Baker's suspension affects Zaragoza's case. A hearing is scheduled for Nov. 10 before Judge Randy Williams.

Zaragoza, 31, and Jeremiah Thompson, 28, of Reelsville are suspected of killing Rogers at his south Lafayette home during a botched robbery over marijuana and cash.

Thompson is Zaragoza's wife's cousin. His trial is scheduled for March.

The two men were indicted in January 2011 following a grand jury investigation.

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**November 2, 2011: WLFI TV**

## **Laf. man charged after police saw him deal cocaine**



LAFAYETTE, Ind. (WLFI) - A Lafayette man is charged with four felonies after police said they saw him deal cocaine.

56-year-old Randy C. Hahn has been charged with possession of cocaine, dealing cocaine, possession of a controlled substance and maintaining a common nuisance. The state also intends to file a habitual substance

offender against Hahn.

46-year-old Mary R. Cunningham is charged with possession of cocaine.

Police said they saw Cunningham meet Hahn at his car Friday night to buy cocaine.

When police spoke to Cunningham, they said they found nearly two grams of cocaine on her.

According to court documents, police searched Hahn's vehicle after a K-9 alerted them drugs were present.

Police said they recovered more than \$1,000 in cash from Hahn's car.

According to the probable case, the deal happened within 1,000 feet of a family housing complex and 1,000 feet of Washington School on 14th Street

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**October 21, 2011: Lafayette Journal and Courier**

## **Verdict guilty in 'shocking' molestation 24-year-old faces minimum of 60 years**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man faces 60 to 80 years in prison after being found guilty Thursday of sexually abusing a 3-year-old boy in his care.

Kyle W. Lynch, 24, was visibly upset and bowed his head when the verdict -- guilty of child molesting as a Class A felony -- was read aloud Thursday afternoon by Judge Randy Williams of Tippecanoe Superior Court 1.

Jurors deliberated for more than two hours before concluding that Lynch, and not another man who earlier had confessed, is the person who caused injuries that placed the Lafayette toddler in an Indianapolis hospital for one week in October 2009.

Lynch had been baby-sitting the 3-year-old on Oct. 13, 2009, at the home of the boy's maternal grandmother.

The grandmother came home that afternoon to the boy crying and Lynch wiping the boy's buttocks with a towel.

Stephanie Sciaudone, a sexual assault nurse at Riley Hospital for Children, examined the toddler that same day.

During the trial, she described the victim's injuries to the rectum as "shocking." Graphic photos that were projected onto a screen in the courtroom made some jurors look away.

Another family acquaintance, Timothy D. Copley, previously confessed to the crime. But suspicion shifted to Lynch after DNA testing showed that body fluids on the boy's underwear in all probability came from Lynch.

Lynch and Copley are acquaintances of the family.

Lynch did not testify.

His court-appointed attorney, Pat Manahan, challenged whether prosecutors could prove that it was Lynch who committed the crime and not Copley. He questioned the accuracy of the DNA analysis and proposed the likelihood of evidence contamination.

He also told jurors during closing arguments that Lynch was a victim of sexual abuse as a child.

According to Prosecutor Pat Harrington, because of the boy's age, Lynch faces 30 to 50 years in prison on the child molestation charge. A felony is typically punishable by 20 to 50 years.

After the verdict was read, Lynch then opted to plead guilty to being a habitual offender. That was based on two unrelated Class D felony theft convictions in 2007 and 2008.

That 30-year sentencing enhancement must be served consecutively to the child molesting count, so the minimum sentence would be 60 years.

Lynch told Williams that he currently takes Prozac for depression and was previously diagnosed as mildly mentally handicapped.

Although Lynch did not testify, he told investigators that he had a "sick thought" and "wasn't thinking" when he picked up the 3-year-old, then unzipped his own pants, court documents alleged.

He will be sentenced in November.

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**October 20, 2011: WLFI TV**

## **Child molester found guilty**

- Tiffanie Dismore

TIPPECANOE COUNTY, Ind. (WLFI) - 24-year-old Kyle Lynch hung his head, pinched the bridge of his nose and rubbed his eyes as the verdict was read. He was found guilty of molesting a three-year-old boy who was left in his care for a short period of time on day in October 2009.

The little boy had to be taken to Riley Hospital for Children at IU Health where he spent a week because of his injuries.

"I have no doubt that the guilty verdict was correct," said Lynch's uncle Shane Lynch. "I wish I could say different, but I don't."

The prosecution and defense rested Thursday morning in Tippecanoe Superior Court and closing arguments from both parties lasted until early afternoon. It was the third day of the trial, with the first two days involving testimonies. Lynch decided not to take the stand to testify in his own defense.

The prosecution told the jury DNA evidence points to Lynch, plus he confessed and even wrote a letter of apology.

The defense argued there wasn't enough evidence without a reasonable doubt to tie Lynch to the crime.

The jury deliberated for nearly three hours, and came back with a guilty verdict for the class A felony.

After hearing the verdict, Kyle Lynch pleaded guilty to being a habitual offender. The count adds 30 years to whatever Lynch's sentence will be.

His defense attorney Patrick Manahan said both he and Kyle Lynch are disappointed with the jury's guilty verdict.

"We certainly believe there was doubt there we found otherwise," Manahan said after the trial ended. "The young man has had a horrible life from the time he was very young. Molested when he was very young. Now he is looking at a horrible sentence."

But Shane Lynch said what happened to his nephew growing up doesn't give him the right to commit a crime.

"He knows he put a man in prison for what, the same thing he did. He knows that it is wrong," he said.

Lafayette Police Detective Joe Clyde felt Kyle Lynch will be paying for his wrong.

"We are very happy for the victim and the family. It's been a lot of work and it's good to see the outcome we got today," Clyde said.

The victim and the family are on the forefront of Shane Lynch's mind.

"On my own behalf, I would like to say I'm sorry for what they had to go through. My heart goes out to them," Shane Lynch said.

Kyle Lynch will be sentenced next month. He faces 50 to 80 years in prison.

**October 20, 2011: WLFI TV**

### **Closing arguments finished, jury deliberating on verdict**

TIPPECANOE COUNTY, Ind. (WLFI) - Testimony continued in the trial of 24-year-old Kyle Wayne Lynch, who's charged with a Class A felony of child molesting in Tippecanoe Superior Court through Thursday. Closing arguments are finished.

The jury is now deliberating on the verdict.

Kyle Lynch decided not to take the stand to testify in his own defense.

Lynch is accused of molesting a three-year-old boy in 2009.

The boy's grandmother came to the house where Lynch was watching him and allegedly found the child screaming and crying.

The boy's injuries were so severe relatives rushed the toddler to the hospital and he was later transferred to Riley Hospital for Children.

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**October 18, 2011: WLFI TV**

### **Man in court for child molesting charge Accused of causing injury to 3-year-old boy**



LAFAYETTE, Ind. (WLFI) - A man accused of molesting a 3-year-old boy will learn his fate in court this week.

Tuesday was the first day of testimony in the trial of 24-year-old Kyle Wayne Lynch, who's charged with a Class A felony for child molesting.

In opening arguments, Deputy Prosecutor John Schafer told the jury on October 13, 2009, a relative of Lynch's



wife dropped her 3-year-old son off at his home.

When the boy's grandmother came to the house 20 minutes later, she allegedly found the child screaming and crying while Lynch was wiping the child's behind with a washcloth.

Shortly after, relatives rushed the child to the hospital, and he was later transferred to Riley Children's Hospital where he stayed for a week.

Schafer said within a couple of days, though, Tim Copley, a friend of the mother's, confessed to the crime. But several months later, DNA test results cleared Copley and implicated Lynch.

NewsChannel18 caught up with Lynch's uncle Tuesday afternoon, who said he has strong doubts about his nephew's innocence.

"I just hope that if he's guilty that he gets the punishment that he deserves," Shane Lynch said. "If it was my own son, I would hope that they would punish him the same as they would punish anyone else."

The victim's mother told us off camera her son is doing well and doesn't remember what happened to him in October 2009.

Lynch's trial is expected to last through Thursday. If he's convicted, Lynch could face a possible sentence of 20 to 50 years in prison.

Lynch's attorney declined an interview Tuesday. Tune in to NewsChannel 18 at Six, to hear more about why he argued in court that there's not enough evidence to prove Lynch committed the crime and Copley didn't.

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**October 15, 2011: Lafayette Journal and Courier**

## **20 years handed down in fatal OWI**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Kathleen E. Altepeter died eight days shy of her 40th birthday -- a birthday that the Lafayette woman declared would be a turning point and time to better her life, according to her parents.

Altepeter spent the hours before her death on April 8, 2011, drinking at a Lafayette bar with an ex-boyfriend, Bradley J. Siefert. She was in the front passenger seat of Siefert's SUV when he crashed into a utility pole on Kossuth Street near Park Avenue.

Emergency responders had to cut off the passenger-side door to remove Altepeter, who later died from her injuries.

Siefert, who initially ran to his mother's home three-quarters of a mile away and denied being the driver or knowing Altepeter, pleaded guilty to the crime in August.

He was sentenced Friday in Tippecanoe Superior Court 2 to 20 years in prison and four years probation for operating a vehicle with at least 0.15 grams of alcohol causing death, a Class B felony, and leaving the scene of an accident causing death, a Class C felony. He could have gotten as few as eight years or as many as 28 under Indiana's sentencing laws.

A blood test showed that Siefert had a blood-alcohol concentration of 0.22 percent -- nearly triple Indiana's legal limit of 0.08 percent -- afterward, along with traces of opiates and cannabinoids.

"If I could trade places with Kathy, I sure would," Siefert, 33, testified Friday. "But what I can do is ... Kathy can

continue to live through me, by me speaking with other people, starting with children.

"It's one way to live a better life, inner peace ... which I obviously did not know. You don't really know what alcohol and drugs can do to you until it's too late."

According to Siefert, he and Altepeter dated for about three years and had broken up three weeks before her death. The prior evening, Altepeter had met Siefert at Ace's Pub.

Siefert admitted that he been consuming alcoholic beverages since 2 p.m. April 7. Though he had used two to three taxis to get to other bars, Siefert and Altepeter then took a taxi to his sister's house to pick up his vehicle.

The crash occurred about 4:20 a.m. the following morning.

Siefert said he ran from the scene because he was panicked, shocked and heavily intoxicated.

"I love her with all my heart. I'm sorry for what her children are going through," Siefert said.

He apologized to her family and offered to answer any questions they had.

Altepeter had three children -- two sons, now 9 and 20, and a daughter, 14.

The youngest turned 9 on April 8 and struggles with his mother's death, Altepeter's mother, Patricia Altepeter, testified.

"It's something he'll remember every year," she said.

Both Patricia Altepeter and her husband, James, testified that the past six months have been difficult for the family. When the temperatures drop, Patricia Altepeter said she could always count on her daughter stopping by to pick up homemade soup.

"She took my recipes and made them herself but always said it wasn't the same as mine," Patricia Altepeter said. "I miss her a lot. I'm really sorry that I'll never have another chance to give her a hug."

James Altepeter read a statement to Judge Thomas Busch, during which he fondly spoke of his only daughter, whom he called Kate, and the times she spent playing with her brothers.

The couple first took Altepeter in as a foster child in 1973, then adopted her three years later. James Altepeter said his daughter was a shy child who grew into a vulnerable adult, and others sometimes took advantage of that.

"Sometimes she tried my patience as all children do, but I loved her," James Altepeter said. "She tried to be a good daughter. She tried to live a good life.

"Kate was not yet 40 years old. She talked about that day. She died eight days short of that day -- eight days short of a new life."

The judge also ordered Siefert to enroll in substance abuse treatment and pay \$5,190 in restitution to Altepeter's parents. His driver's license will be suspended for five years and six months, beginning once he's released.

Under his plea agreement with the prosecutor's office, Siefert cannot appeal his conviction.

"When your drinking and driving hurt other people, it's no longer about you," Busch told Siefert, who has numerous prior convictions for alcohol and drugs. "The job for me is no longer one of rehabilitation. It's one of having the punishment fit the crime."

**October 15, 2011: Lafayette Journal and Courier**

## **Jury finds nightclub patron guilty in shooting**

After hearing four days of testimony, a Tippecanoe County jury agreed with prosecutors that 21-year-old Curtis J. Bacon is the person who shot another man outside a West Lafayette nightclub last December, permanently paralyzing him.

The Tippecanoe Superior Court 1 jury deliberated for about three hours Friday afternoon and evening before finding Bacon, an Indianapolis resident, guilty of all the charges against him.

They include aggravated battery, battery and criminal recklessness resulting in bodily injury, all felonies.

Bacon then opted to plead guilty -- rather than have the jury decide -- to additional charges of possession of a firearm while having a prior conviction and of using a firearm to commit battery, which is a sentencing enhancement, Prosecutor Pat Harrington said.

He's scheduled to be sentenced Dec. 12 by Judge Randy Williams.

The lead aggravated battery charge is punishable by six to 20 years in prison. The firearm enhancement adds another five years and must be served consecutively to the other counts.

The victim, 22-year-old Antwain D. Harrison of Indianapolis, was shot in the neck. The bullet severed his spine and remains lodged in his body.

Jurors watched prerecorded testimony because doctors would not allow Harrison, who is paralyzed from the neck down, to attend Bacon's trial.

The shooting took place shortly before 2 a.m. on Dec. 5 in the parking lot outside Nick's Nightclub, 402 Brown St., in the West Lafayette Levee. Both Harrison and Bacon had attended a "Rated R Party" at Nick's that was hosted by promoters from Indianapolis.

According to trial testimony this week, several fights broke out inside Nick's that evening -- prompting security to pepper spray partygoers and shut down the event early.

This led to a commotion in the parking lot.

West Lafayette police worked with the Indianapolis Metropolitan Police Department's Gang Unit on the investigation, which led to Bacon being identified as a suspect.

According to police testimony, Bacon initially denied shooting Harrison, then later confessed and retracted the confession.

His attorney, Ralph Staples, argued that prosecutors had no forensic evidence directly identifying Bacon as the shooter. Investigators never recovered the .32-caliber gun linked to Harrison's injury.

Acquaintances of Bacon, however, testified to seeing him fire a gun in the direction of Harrison in Nick's parking lot shortly before Harrison fell to the ground.

**October 15, 2011: Lafayette Journal and Courier**

## **Purdue official charged with theft Several items allegedly taken from Walmart**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Pumpkins, smoke alarms, light bulbs and bedding that a Purdue University official is accused of stealing from the

West Lafayette Walmart didn't accidentally fall into his bag or shopping cart, court documents allege.

Associate Dean of Students Robert P. "Pablo" Malavenda, of West Lafayette, was charged Friday in Tippecanoe Superior Court 5 with theft, a Class D felony, and conversion, a Class A misdemeanor.

The alleged thefts -- captured on store surveillance video -- occurred a week ago today.

Malavenda, 50, was arrested Sunday after Walmart contacted the West Lafayette Police Department, and officers went to Malavenda's home.

Attempts to reach him on Friday were not successful. Court records do not indicate whether Malavenda has hired an attorney.

Following is a summary of what investigators believe took place, according to a probable cause affidavit filed with the charges:

Malavenda was spotted entering Walmart at 2801 Northwestern Ave. on Oct. 8 with reusable, blue Walmart bags. After grabbing several items, he used a self-checkout lane and paid for three transactions with a credit card. He then left the store and put those purchases in his vehicle.

Walmart loss prevention alleges that Malavenda then went back into Walmart with the reusable bags and receipts from the three prior purchases. He was then spotted grabbing the same items he just bought and left the store without paying for them.

A loss prevention officer told a store greeter to check Malavenda's receipts. Though Malavenda set off the store's alarms, the store greeter let him go because the items matched the receipts.

Malavenda is then accused of going back into Walmart, this time using a different entrance, with the items police say he hadn't purchased. Using the receipts from the three prior transactions, he returned those items and got \$160.17 back.

While the return was occurring, a store manager got the license plate number of Malavenda's car.

Rather than leaving the store, Walmart alleges that Malavenda went to the hardware section, grabbed light bulbs and put them in his now-empty reusable shopping bags.

Walmart officials then called police. West Lafayette Police Department Lt. Scott Fohr watched the video, then went to Malavenda's home. Malavenda declined to make a statement to police, the affidavit states.

Malavenda was arrested, taken to jail and booked. He spent about 90 minutes in jail before posting a \$5,000 surety bond.

Purdue spokeswoman Jeanne Norberg previously told the Journal & Courier that Malavenda was placed on leave while the university investigates the allegations. Martia Brawner, Purdue assistant dean of students, was named interim associate dean.

As associate dean, Malavenda oversees the student activities and organizations area, which includes more than 690 student organizations, independent housing units, fraternities, sororities and other programs. His annual salary as of Jan. 1 was \$85,000, according to Purdue records.

Malavenda also metes out discipline to student organizations when they break student codes of conduct, such as hazing or serving alcohol to minors.

## **Father charged with child molesting Had worked to get LSC special needs kids to prom**



- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - NewsChannel 18 is learning more information about a father whose efforts helped send dozens of Lafayette Jefferson special needs children to prom.

Michael McShurley, 49, is now charged with four felony counts of child molesting, in Tippecanoe Circuit Court.

According to court documents, a 12-year-old girl in his care told a neighbor he had touched her inappropriately on her privates and breasts. She later told police the touching had happened many times over a period of more than two years.

McShurley appeared on NewsChannel 18 in April 2010, asking for help with an effort he was making to help send Lafayette Jeff seniors with special needs to prom.

He said, as a special needs parent himself, he understood the costs of having a child with special needs, and that sometimes those children may lack the social skills to go to prom on their own.

"The prospect of him [my son] achieving and maintaining a dating relationship, those social skills he doesn't have," McShurley said in April 2010. "So as it came close to prom time, I thought, 'Well somebody will put together a group.' And nobody did'."

Lafayette School Corporation Superintendent Ed Eiler said McShurley's family has been very involved in the school system, and he was sad to learn about these charges.

However, Eiler says McShurley has not been in an LSC school since January, and based on school parameters he doesn't have reason to believe McShurley was touching any student inappropriately at school.

NewsChannel 18 tried reaching McShurley for a comment this afternoon, but our message was not returned.

**October 14, 2011: WLFI TV**

## **Woman charged with welfare fraud Woman accused of wrongly receiving \$28,000**



TIPPECANOE COUNTY, Ind. (WFLI) - A woman faces two felony charges after police said she lied to get almost \$28,000 in government aid.

43-year-old Katrina Pomart was charged Thursday in Tippecanoe County with information of welfare fraud and information of theft.

Court documents show Pomart lied repeatedly from 2007 to 2010 about family and employment information on forms required to receive assistance from the Lafayette Housing Authority.

Investigators said Pomart wrongly received the money in Section 8 housing assistance payments from the U.S. Department of Housing and Urban Development through the Lafayette Housing Authority.

**October 14, 2011: Lafayette Journal and Courier**

## **Trial winding down in nightclub shooting**

### **THE NEWS**

An Indianapolis man denied, then confessed, then retracted his alleged involvement in a shootout last December outside a West Lafayette nightclub that paralyzed a man, court testimony on Thursday revealed.

The suspect, 21-year-old Curtis J. Bacon, is on trial this week in Tippecanoe Superior Court 1 on charges of aggravated battery, a Class B felony, and battery, a Class C felony.

Bacon is accused of firing a gunshot that struck 22-year-old Antwain D. Harrison in the neck. The bullet severed Harrison's spine and remains lodged in his body.

Jurors on Thursday heard testimony from Detective Jon Eager of the West Lafayette Police Department, who said Bacon initially admitted shooting Harrison -- though not intentionally.

But three days later, Bacon told investigators that he lied because he "was scared" and "would say anything just to see daylight again." That videotaped interview was played in court.

Jurors also heard testimony from witnesses who claimed to see Bacon fire a gun in Harrison's direction.

### **THE BACKGROUND**

The shooting took place shortly before 2 a.m. on Dec. 5 in the parking lot outside Nick's Nightclub, 402 Brown St. in the West Lafayette Levee. Both Harrison and Bacon had attended a "Rated R Party" at Nick's that was hosted by promoters from Indianapolis.

According to trial testimony this week, several fights broke out inside Nick's that evening -- prompting security to

pepper spray partygoers and shut down the event early.

This led to a commotion in the parking lot.

West Lafayette police worked with the Indianapolis Metropolitan Police Department's Gang Unit on the investigation, which led to Bacon being identified as a suspect.

Bacon turned himself in on Dec. 15.

## **THE ARGUMENTS**

The state's case, presented by Deputy Prosecutor Emily Orsinger, has included testimony from Harrison, Harrison's friends, Bacon's acquaintances and several West Lafayette police officers who were in the parking lot when shots first rang out.

Police already were present because of fights that preceded the shooting, and cameras in their squad cars captured some of the melee.

Bacon's attorney, Ralph Staples, is arguing that the state cannot prove and has no forensic evidence that Bacon was the shooter. Investigators never recovered the .32-caliber gun linked to Harrison's injury.

## **WHAT'S NEXT**

Testimony continues this morning. Jurors are expected to begin deliberations sometime today.

The lead charge against Bacon is punishable by six to 20 years in prison.

**October 14, 2011: WLFI TV**

## **Purdue dean charged for theft of household items**



WEST LAFAYETTE, Ind. (WLFI) - Purdue Associate Dean of Students Pablo Malavenda was charged for the theft of household items, such as bedding, pumpkins and light bulbs.

According to a Wal-mart Asset Protection Associate, Malavenda entered the store and purchased several items in three different transactions. Then he exited the store.

Malavenda re-entered the store without the purchased items but with the receipts from those items.

He selected the same items he purchased previously and passed all registers without purchased those items.

The Asset Protection Associate instructed a store greeter to check the receipts. As Malavenda passed through the doors, the alarm sounded and the store greeter verified his receipts.

Malavenda then re-entered the store at a different entrance with the items he had not paid for. He used the



original receipts to return the items he selected on his second visit to the store, totaling \$160.17.

Malavenda received a refund, headed to the hardware area, and placed light bulbs into his bag. He passed the registers and left the store without purchasing them. Once outside Wal-Mart, Malavenda was then seen placing three pumpkins into a shopping cart and loading them into his vehicle.

Malavenda was then arrested on charges of Theft. In the process of being transported to jail, Malavenda asked why he was being arrested and Lt. Fohr replied that 'he knew what he did'.

Malavenda was arrested on Saturday for shoplifting at the West Lafayette Wal-mart on U.S. 52 and arrested on a preliminary charge of theft.

According to the Purdue salary database, Malavenda has a salary of \$69,500 per year.

Purdue spokeswoman Jeanne Norberg has confirmed Malavenda is on paid administrative leave, as of Monday and is working from home. She said the University should finish up its investigation by the end of the month.

Purdue Assistant Dean of Students Martia Brawner has been named interim Associate Dean while Malavenda is on leave.

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**October 13, 2011: WLFI TV**

### **4 charged for meth lab on 17th Street**

Jennifer Mae Neal W/F  
DOB: 05-09-1986



Alana Dawn Ward W/F  
DOB: 03-11-1993



Kevin Larry Douglass W/M  
DOB: 07-20-1968



Shannon Marie Carnahan W/F  
DOB: 09-23-1983



Jeremy Richard Cheek W/M  
DOB: 06-03-1981



Tiffanie Dismore

LAFAYETTE, Ind. (WLFI) - Charges have been filed after police said they found a meth lab on North 17th Street in Lafayette late last week.

28-year-old Shannon Marie Carnahan, 30-year-old Jeremy Richard Cheek, 18-year-old Alana Dawn Ward, and 25-year-old Jennifer Mae Neal have all been charged with an illegal drug lab, a class C felony and conspiracy to manufacture methamphetamine, a class A felony.

According to court documents filed Thursday, a corrections officer was checking on Neal who was on home

detention on October 7.

The officer smelled a chemical odor and a hazardous materials team was called in and the block was closed off for hours.

Carnahan told police she found a bottle that was fizzing and popping under the sink and when she opened it, some of the liquid sprayed out and burned her hand.

According to the documents, police found a powdery residue that tested positive for meth. Police believe the chemicals and supplies they found were consistent with making methamphetamine.

Court documents reveal Cheek has several prior drug convictions including possession of marijuana and controlled substances. Neal was on house arrest after a probation violation from her conviction for criminal recklessness while armed.

The probable cause stated the house at 1708-1 North 17th Street appears to be within 1,000 feet of the St. Lawrence Elementary School, the Linwood School and Linwood Park.

Two other men are being charged after police said Ward and Carnahan told them they had taken items from 51-year-old David E. Balser's house on 18th Street.

According to court documents, 43-year-old Kevin L Douglass lives with Balser. When police searched the residence, they said they found an inactive meth lab in the house and handwritten directions and lists of ingredients to make meth

Both men face four felonies including possession of meth and two counts of an illegal drug lab.

**October 13, 2011: Lafayette Journal and Courier**

## **'Multiple fights,' then shots at Nick's, witness testifies at trial**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A fight that led to a shootout outside a West Lafayette nightclub last December began with a song: "Get Money" by Junior M.A.F.I.A.

Just after midnight Dec. 5, friends Antwain D. Harrison, Deon Parker and Clarence Stephens drove into West Lafayette from Indianapolis to attend a party at Nick's Nightclub, 402 Brown St., that they learned about via Facebook.

An estimated 200 people were in the nightclub in the West Lafayette Levee when they arrived. The party featured Trill Tight DJs from Indianapolis.

"We was just conversing and dancing," Parker testified Wednesday in Tippecanoe Superior Court 1 during the trial for one of the shooters, 22-year-old Curtis J. Bacon. "Then some fights broke out. Multiple fights broke out."

Bacon, also of Indianapolis, is accused of shooting Harrison in the parking lot at Nick's as a large crowd of people poured out from the nightclub. He's charged with aggravated battery, a Class B felony, and battery, a Class C felony.

The bullet struck Harrison, 22, in the neck. He remains paralyzed from the neck down and is not able to attend Bacon's trial. Because of this, jurors on Wednesday instead viewed previously recorded testimony.

According to Stephens, the friends were having fun inside the club, dancing and drinking. When the song "Get Money" came out, Harrison took out some cash and waved it around -- a dance move apparently common for that

song.

That's when Stephens noticed some men -- "a tall, slinky one and a short, cocky one -- eyeing Harrison, Stephens testified.

"I thought they were going to do something," he told jurors. "I got in defense mode."

Stephens said this sparked a fight, during which he slipped and was repeatedly hit. It was one of several fights that broke out inside Nick's that night, only this time security stepped in and told everyone to get out.

According to Stephens, he and Harrison then went to their vehicle to get their handguns "for protection." Stephens has a permit to carry a firearm. Whether Harrison has one was not addressed in court Wednesday.

They met back up with Parker at the ramp near Nick's entrance, then walked back to the car.

Parker said he remembered hearing one gunshot and looked around the crowd.

"I actually turned around and thought someone shot in the air," Parker said. "Because that's normal."

He then saw Harrison facedown on the ground. At first, Parker thought his friend had slipped because of ice and snow. That changed when he saw blood gushing from Harrison's mouth.

"His breathing was real slow," Parker said. "I knew he was still alive and tried talking to him, telling him he'll be OK."

Parker testified that he had never met Bacon.

After Harrison was shot, Stephens admitted on the witness stand that he, too, began firing his gun blindly. Stephens shot two rounds before his gun jammed. No one was struck by the bullets.

According to court documents, a total of eight gunshots were fired outside Nick's that night. Harrison was the only person injured.

Other bullets that investigators suspect were fired by Bacon struck the side of Nick's and a vehicle next to where Harrison had been standing.

West Lafayette police worked with the Indianapolis Metropolitan Police Department's Gang Unit on the investigation, which led to Bacon being identified as a suspect. Bacon turned himself in on Dec. 15.

Bacon's attorney, Ralph Staples, noted during cross-examination of Stephens that other people probably were dancing with money during "Get Money." Stephens agreed and admitted that he did not see Bacon in the club or in the parking lot.

Stephens himself was arrested that day. He's charged in Tippecanoe Superior Court 2 with criminal recklessness and false informing.

Testimony continues this morning. The trial is now expected to run through Friday.

**October 13, 2011: WLFI TV**

**Two charged with dealing heroin in Laf.**



Sara L. Moss



Daniel W. Otero

LAFAYETTE, Ind. (WFLI) - 39-year-old Lafayette resident Sara L Moss faces four felonies including dealing a narcotic drug.

According to a probable cause affidavit, Lafayette police found seven grams of heroin in Moss' car after pulling the car over on October 6, 2011. 40-year-old Daniel W. Otero was driving the car at the time.

In the probable cause, Moss said they were driving back from Chicago where they told police they bought the heroin.

Otero faces one-count of dealing a narcotic drug.

Court documents stated Moss admitted she and Otero were on their way to deliver heroin and other people in Lafayette were interested in buying the drug.

According to court documents, Moss told police she knew to buy heroin from her contact in Chicago because she drove there three to four days earlier and purchased 15 bags of heroin from him.

Moss said she was paid \$50 by two people to go to Chicago to buy heroin for them. Police said Moss told them they were on their way to the house to deliver the heroin.

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**October 12, 2011: WFLI TV**

### **Night club shooting suspect in court**



LAFAYETTE, Ind. (WFLI) - A jury trial is underway in Tippecanoe Superior Court for 21-year-old Curtis Bacon, Jr., who's suspected of firing shots outside of Nick's Nightclub in West Lafayette in December 2010.

Bacon faces charges of aggravated battery and battery with a deadly weapon, both felonies.

The trial began Tuesday and could extend through Friday.

In court Wednesday, jurors were shown video testimony from the victim who was shot in December, 23-year-old

Antwain Harrison. Harrison described how he and two of his friends left the party at Nick's Nightclub after a fight broke out inside and security guards began using mace.

He told the deputy prosecutor how he felt a bullet hit him in the neck, and he fell onto his face and stomach. He remembers his friend rolling him onto his back.

"Deon told me, 'Hold on, and it'll be okay,'" he said in his testimony.

His next memory was waking up in Methodist Hospital.

Testimony from Harrison and his primary care doctor revealed Harrison is now considered a quadriplegic and can't move his arms or legs.

The ER doctor from that night said the bullet severed Harrison's spine, and Harrison said the bullet remains in his neck.

"I can still feel it, and you can see it when I turn my head," Harrison said.

Also in court Wednesday, a West Lafayette police officer testified about how on December 5, 2010, he called out over the police radio, "We need an airstrike," which he said means police needed anybody and everybody who could respond to the scene.

He described a "very angry mob" surrounding the officers and advancing toward them.

Much of Wednesday afternoon's testimony centered around the evidence that was gathered at the scene.

Another West Lafayette police officer went over a series of photos taken that night, including several used shell casings and a couple of bullets found around the scene. Some photos showed bullet holes in cars around the area, and one vehicle that had a shattered back windshield from the altercation.

The testimony NewsChannel 18 sat in on did not directly address how Bacon was involved in the shooting. However, court documents say two witnesses told police that they saw Bacon shooting a handgun outside the bar that night.

The trial will continue into Thursday, and could last through Friday.

**October 12, 2011: Lafayette Journal and Courier**

## **Charge filed in meth lab blast; victim is better**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Pseudoephedrine pills, lithium strips and butane fuel were among items that may have been used in a "one-pot" methamphetamine lab that exploded Oct. 3, injuring a Lafayette man, court documents reveal.

The man, 32-year-old Willard Dunn, suffered severe chemical burns to his hands, face and lower legs, Lafayette police previously reported.

He's being treated in the burn unit at Wishard Memorial Hospital in Indianapolis, where he was listed Tuesday night in good condition, hospital spokesman Todd Harper said.

Investigators suspect that Dunn was at 812 Brown St., apartment No. 1, on Oct. 3 cooking meth -- a highly addictive drug that can be made by combining decongestant medication, drain cleaner and other readily available ingredients -- when the lab exploded and sparked a fire that shut down parts of Brown and Ninth streets for several hours.

The apartment's tenant, 26-year-old Steven K. Hanna, was charged Tuesday in Tippecanoe Superior Court 2 with conspiracy to manufacture meth.

The charge was elevated to a Class A felony because Hanna's apartment is within 1,000 feet of three schools and a public park.

Hanna was being held Tuesday night in the Tippecanoe County Jail without bond, jail staff confirmed.

According to a probable cause affidavit filed with the criminal charge, Hanna told investigators he was at home when a friend contacted him about stopping by, possibly to "cook meth."

The friend, a woman, showed up with another man -- believed to be Dunn -- who was carrying a box.

They reportedly went into a back room, and shortly after, Hanna heard an explosion and screaming.

All three then took off running, and Dunn reportedly tossed the box in a trash can in a nearby alley.

Hanna later returned to his apartment and took officers to the trash can.

Members of the state police's Meth Suppression Unit recovered the box, which contained pseudoephedrine pills, an empty container of lye, salt, smoking pipes, Mason jars, butane fuel and other items.

A container of drain opener, a funnel and empty pseudoephedrine blister packs were found in the apartment.

Hanna told investigators that he did not know Dunn. Dunn was found shortly after the explosion on North Sixth Street, outside Lafayette City Hall.

Lafayette police Sgt. Perry Amos said Tuesday that officers tracked down and spoke to the third person on Sunday, but she reportedly declined to provide a statement without contacting an attorney.

Only Hanna has been charged thus far, but the other two could face criminal charges.

**October 12, 2011: WLFI TV**

## **WL man faces charges for using stolen credit card**

WEST LAFAYETTE, Ind. (WLFI) - A West Lafayette man faces seven felony charges for allegedly using a stolen credit card to make more than a thousand dollars in purchases at area stores.

24-year-old Jonathan Burton was charged in Tippecanoe Superior Two Tuesday with three counts of forgery, two counts of fraud and two counts of receiving stolen property, all felonies.

According to court documents, in June, police responded to several cases of thefts from unlocked vehicles that led to unauthorized purchases on the victims' credit cards.

Police later identified Burton from surveillance video at the stores where the purchases were made.

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**October 11, 2011: Lafayette Journal and Courier**

## **Indy man on trial in West Lafayette Levee shooting**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Doctors fear that a 22-year-old Indianapolis man who was shot in the neck last December outside a West

Lafayette nightclub will be permanently paralyzed from the injury, police confirmed Tuesday.

Antwain D. Harrison is no longer hospitalized. But he remains unable to move from the neck down and is in a wheelchair, according to Lt. Troy Harris, who heads the West Lafayette Police Department's detectives division.

Because of this, Harris said, doctors would not allow Harrison to attend a criminal trial this week in Tippecanoe Superior Court 1 for the man accused of shooting him, 21-year-old Curtis Bacon of Indianapolis.

Bacon is charged with aggravated battery, a Class B felony, and battery, a Class C felony.

Testimony in Bacon's trial began Tuesday afternoon and will resume this morning.

The trial is slated to run through Thursday.

Prosecutor Pat Harrington said jurors are expected to view pre-recorded testimony from Harrison, since he cannot take the stand live.

A deputy prosecutor and Bacon's attorneys were both present when that was recorded.

The shooting took place on Dec. 5 in the parking lot outside Nick's Nightclub, 402 Brown St. in the West Lafayette Levee, following a large party the prior evening at Nick's hosted by a group of promoters from Indianapolis.

According to court documents, both Bacon and Harrison attended the party, which was shut down early after several fights broke out inside. This led to a commotion and exchange of gunfire in the parking lot.

Harrison was the only person injured. Other bullets that investigators suspect were fired by Bacon struck the side of Nick's and a vehicle next to where Harrison had been standing.

West Lafayette police worked with the Indianapolis Metropolitan Police Department's Gang Unit on the investigation, which led to Bacon being identified as a suspect.

Bacon turned himself in on Dec. 15.

Jurors on Tuesday heard testimony from West Lafayette police officers who responded to fights that preceded the shooting and officers who arrived after shots were fired.

An acquaintance of Harrison -- Clarence Stephens, 23, of Indianapolis -- was arrested the day of the shooting on accusations that he fired at a crowd in retaliation after Harrison was shot.

Stephens is charged in Tippecanoe Superior Court 2 with criminal recklessness and false informing. He's scheduled to stand trial in December.

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**October 8, 2011: Lafayette Journal and Courier**

## **2 charged in robbery at Chauncey Village**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Criminal charges have been filed against two teen-agers who are accused of attacking and robbing a man who earlier had asked to borrow their phone in West Lafayette's Chauncey Village.

Kaleb A. Petersen, 18, of Lafayette and Matthew W. Speedling, 19, of Frankfort were charged Thursday in Tippecanoe Superior Court 2 with conspiracy to commit robbery, robbery and theft. All counts are felonies.



Both remained in the Tippecanoe County Jail on Friday night.

The alleged robbery took place a week ago today in an alley behind Chauncey Hill Mall.

According to a probable cause affidavit, the victim, Benjamin Hull, had stopped a passer-by -- later identified as Petersen -- to use his cellphone to call a friend because Hull's own cellphone needed to be charged.

Hull called his friend, but the friend did not answer.

He told investigators that Petersen approached him a short while later to say Hull's friend had called back and was waiting for him in the alley behind Chauncey Hill Mall.

Hull was then approached by three other men, one of whom punched Hull in the face.

Petersen, Speedling and the three other suspects -- juveniles who are identified by only their initials in court documents -- are accused of plotting to rob Hull of his iPhone to resell it for cash.

They're further accused of stealing Hull's wallet.

Hull was able to contact the suspects afterward because the number for the cellphone he borrowed showed up on his friend's phone. Hull and his friend then ran after the suspects from Triple XXX restaurant to the West Lafayette Levee, where police took the suspects into custody.

Surveillance video from one of the Levee businesses showed Speedling allegedly tossing Hull's wallet on the ground.

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**October 7, 2011: Lafayette Journal and Courier**

## **Drug conviction nets 20- to 50-year term**

A Muncie woman faces 20 to 50 years in prison for being caught with cocaine and marijuana in her vehicle.

Tondalay M. Brown, 35, was found guilty of possession of cocaine with intent to deal, a Class A felony; possession of cocaine; a Class C felony; possession of marijuana, a Class A misdemeanor; and maintaining a common nuisance, a Class D felony, following a two-day jury trial this week in Tippecanoe Circuit Court.

She'll be sentenced Nov. 4.

Prosecutor Pat Harrington said a Lafayette K-9 unit stopped Brown in July for a traffic violation. Officers searched the car after being alerted by the dog about possible narcotics.

Officers found 16.3 grams of cocaine and a small amount of marijuana, Harrington said.

**October 7, 2011: Lafayette Journal and Courier**

## **Death penalty filing would find support on county council**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Tippecanoe County Prosecutor Pat Harrington is staying mum on whether he'll pursue the death penalty against the suspects accused of fatally beating 26-year-old Jeremy K. Gibson July 6.

"No decision's been made yet," Harrington told the Journal & Courier this week.



But that has not stopped the Tippecanoe County Council from speculating about how much a death penalty filing might cost taxpayers. Two of the defendants, 20-year-old Carolann R. Clear and 25-year-old Antonio O.J. Williams, have court-appointed attorneys.

Last month, the council earmarked \$80,000 in the 2012 budget for the Tippecanoe County public defender's office -- the majority of which will be used for pre-trial expenses for Clear and Williams and for three men charged in the unrelated shooting of Clarence W. Smith Jr. on July 28.

The death penalty has only been discussed in connection with Gibson's death. He was beaten with garden tools, then buried in a cornfield grave. Evidence indicated acid had been poured on his body.

If Harrington files the death penalty, officials estimate that it would cost another \$30,000 to \$40,000.

With an already tight \$38 million budget proposed for 2012, where will money come from? Possibly the county's "rainy day" fund, according to discussions raised by council member John Basham on Tuesday night during a public hearing on the 2012 budget.

"I've been asked throughout this community," Basham said, referring to whether Harrington will file the death penalty. "The people in the community want to know, are we going to be able to afford this?"

"I'd like to give the support that we can do this. I want to go on the record: We'll find the money. ... We need to send the message, don't come to Tippecanoe County and commit these violent crimes."

Council member Jeff Kemper suggested using money from the county's emergency reserves. As of Tuesday night, the county has about \$11 million in its rainy day fund.

He noted that the public defender's office can ask for 40 percent reimbursement from defendants.

"If a murder case is not a rainy day item, then what is?" Kemper said.

Council president Andy Gutwein agreed that the cost in pursuing a death penalty case should not be a factor in Harrington's decision.

"The last thing I would want to see the council do is back away and say, 'Well, gee, we can't afford it, so go easy on them,' " Gutwein said. "We've got to do what we can do to find the money."

According to court documents, Clear, Williams and a third co-defendant, 19-year-old Darren J. Englert, had been staying with Gibson at his apartment on North Eighth Street, near downtown Lafayette.

In the hours before Gibson's death, he apparently got into an argument with Williams that turned into a fight. The suspects are accused of tying Gibson's hands and feet, then forcing him into a vehicle and placing a belt around his neck.

Investigators suspect that Williams drove to a Lafayette-area home and picked up a pickax, shovel and other items before taking Gibson to a remote location near U.S. 231 and County Road 500 North, outside Montmorenci.

That's where Gibson's body was found.

All three suspects are charged with murder, criminal confinement, battery and other felonies in Gibson's death.

In order to file the death penalty, the prosecutor's office must prove that the defendants committed one of 16 aggravated factors -- for instance, if the victim had been battered by the suspects on a prior instance or if he had been burned, mutilated or tortured while still alive.

Brutality itself is not enough to meet the state's requirements in a death penalty case.

Part of why Harrington has not decided yet is because defense attorneys are working on "mitigating evidence" to

help prove why the death penalty should not be pursued, said Clear's attorney, Deputy Public Defender Michael Trueblood.

"We've met with the prosecutor in an effort to convince him, if we can, not to file the ultimate penalty," Trueblood said Thursday. "He's graciously given us time to assemble that information."

Trueblood, Deputy Public Defender Rachael Schexnailder and other members of the public defender's office are currently looking into Clear's sociological history and other information -- essentially "an intense background check" -- to present to Harrington.

"We'll argue why we don't think it's justified," Trueblood said. "That's the stage we're at now."

Williams is being represented by a special public defender, Brookston-based Robert Little, because attorneys from one public defender's office cannot take on co-defendants.

Little could not be reached Thursday for comment.

Englert hired two private attorneys, Earl McCoy and Chad Montgomery.

Trueblood said his office also is looking into attorneys who are "death qualified," which is a requirement by the state to handle death penalty proceedings. Attorneys have to have handled a prior death penalty case to completion -- either through trial or a guilty plea -- to serve as lead attorney. Trueblood and Schexnailder could assist lead counsel.

Currently no one is "death qualified" in the public defender's office, but there are a few in Tippecanoe County and one in a surrounding county, Trueblood said.

"We've had so few death penalty cases filed, especially in our area, that it's virtually impossible to get qualified," he said.

The last death penalty filed in Tippecanoe was against Michelle Gauvin, a Lafayette woman who later admitted to killing her 4-year-old stepdaughter, Aiyana, in 2005. Then-prosecutor Jerry Bean did not file the death penalty until eight months after Gauvin had been arrested and charged with murder. She pleaded guilty and was sentenced to life. In exchange, the prosecutor dropped the death penalty filing.

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**October 5, 2011: Lafayette Journal and Courier**

## **Teenager given probation in neglect case**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette teenager has been spared prison time for placing her 3-year-old son in danger during a police pursuit and subsequent crash last spring on Eisenhower Road.

Kristen E. Cobbs, 19, was a passenger in a vehicle driven by an acquaintance who refused to pull over May 10 on Creasy Lane for speeding.

Cobbs' son was sitting in a booster seat in the back seat of the vehicle, but he was not properly restrained. She currently does not have custody of the boy.

The vehicle later struck a guardrail just west of the Eisenhower Road bridge.

Cobbs pleaded guilty in August in Tippecanoe Superior Court 1 to neglect of a dependent, a Class D felony.

She was sentenced Wednesday to three years on supervised probation.

Under a plea agreement with the prosecutor's office, Cobbs must fulfill all requirements of a parallel Child in Need of Services case in Tippecanoe Superior Court 3, the county's juvenile court, and requirements made by the Department of Child Services.

They include substance abuse and mental health treatment and counseling.

According to court documents, before the crash, Cobbs and three friends had smoked marijuana and consumed tequila.

Cobbs and two other passengers were further accused of smoking marijuana in the car.

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**October 1, 2011: WLFI TV**

### **Men charged in alleged truck meth lab**



Kevin Dean Speer

Jason Lee Ferguson

LAFAYETTE, Ind. (WLFI) - Two Lafayette men are facing felony charges for their role in an alleged meth lab.

34-year-old Jason Lee Ferguson and 39-year-old Kevin Dean Speer were charged this week in Tippecanoe Superior One.

Both men face four felony charges, including manufacturing methamphetamine, conspiracy to manufacture methamphetamine, possession of meth and having an illegal drug lab. They were also each charged with a misdemeanor for possession of paraphernalia. Speer faces an additional felony charge of maintaining a common nuisance.

According to court documents, the two men were pulled over in Speer's truck for an improper registration last weekend. After a police K-9 smelled narcotics outside the truck, police found numerous items that had been used for making methamphetamine.

Ferguson admitted to police that he and Speer had gathered the necessary precursors for making meth, and were going to bring them to someone else in exchange for some of the finished product.

**October 1, 2011: Lafayette Journal and Courier**

### **Man enters guilty plea to 2007 rape**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former Lafayette man who was on the lam for nearly four years after being arrested and charged in a 2007

sexual assault has now admitted to the crime.

Gustavo Miramontes, 34, pleaded guilty Friday morning in Tippecanoe Superior Court 2 to rape, criminal deviate conduct and criminal confinement. All three counts are felonies.

Miramontes' plea was done without the benefit of a plea agreement through the prosecutor's office -- meaning he faces 20 to 50 years in prison on the rape count alone.

He also faces deportation from the United States. U.S. Immigration and Customs Enforcement currently has a **hold** placed on Miramontes at the Tippecanoe County Jail, jail officers confirmed Friday night.

He's scheduled to be sentenced Dec. 15 by Judge Thomas Busch.

The charges stem from an incident in August 2007. A woman told investigators she was attacked by a man who was walking toward her on South 18th Street near Franklin Street in Lafayette.

According to court documents, the man held out his arms as though to hug her, then grabbed her neck and dragged her behind a garage about 20 feet away, where she was raped.

A neighbor saw part of the attack and called Lafayette police.

Miramontes posted a \$100,000 surety bond about two months later. A warrant for his re-arrest was issued in January 2008 because Miramontes allegedly did not stay in contact with his attorney.

Investigators had feared that Miramontes fled the country.

Federal agents picked him up this past March in California.

**October 1, 2011: Lafayette Journal and Courier**

## **12 years after molesting, man going to prison**

A Buck Creek man who initially claimed he was innocent of charges alleging that he had sexual contact with two siblings 12 years ago was sentenced Friday to 11 years in prison.

Chad E. Stewart, 29, pleaded guilty in August in Tippecanoe Circuit Court to two counts of child molesting, a Class B felony.

This came three weeks after a hearing where Stewart tried to get the charges dismissed, based on arguments that the charges fell under a five-year statute of limitations in Indiana and could not be prosecuted.

Indiana law, however, extends the statute of limitations for some sex crimes until the accuser is 31 years old.

Stewart was charged last year with eight counts of child molesting based on an investigation by the Lafayette Police Department that began in August 2009.

According to court documents, that month police were contacted by the Indiana Department of Child Services after a therapist who treated one of the victims reported the allegations.

The victims, who are brother and sister, told investigators that the sexual acts occurred when they were younger -- sometime between May and December 1999. They were between the ages of 5 and 9.

The siblings told investigators they were forced to perform sexual acts by a former teenage neighbor who was their baby sitter's brother. That led police to Stewart.

During Stewart's hearing to dismiss the charges, the male victim testified that Stewart threatened to tie him to

railroad tracks if he told anyone.

The Journal & Courier typically does identify victims of sex crimes.

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**September 30, 2011: Lafayette Journal and Courier**

## **Drug-related shooting nets 28-year sentence**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Mathew Johnson's childhood was far from ideal. The Lafayette man testified during his sentencing hearing Friday to witnessing both of his parents abuse drugs, and a stepfather currently is in federal prison for drug-related convictions.

Johnson himself admitted to trying "just about everything," beginning at 12 or 13 years old and continuing into adulthood.

His substance abuse problems and run-ins with law enforcement came to a head in October 2010, when Johnson fired two gunshots during a drug-related confrontation in the Cambridge Estates apartment complex that nearly killed another man, Karlon Jackson.

Johnson, 26, was sentenced Friday in Tippecanoe Superior Court 2 to 28 years in prison and seven years on probation.

"It happened so quick. He saw my gun but didn't react to it," Johnson told Judge Thomas Busch. "I didn't want to get shot. His look -- it was just angry.

"I didn't want to get shot. I was scared, and he was coming toward me."

Jackson, however, was not armed.

He was shot once in the abdomen, and doctors had to perform surgery to remove the bullet -- otherwise, Jackson would have died, said Deputy Prosecutor Tim Curry.

According to court documents and testimony during Johnson's July trial, Johnson had driven an acquaintance to Cambridge Estates on Oct. 29 to sell marijuana. But when they started to leave the apartment complex, Jackson pulled up on his bicycle and stopped in front of Johnson's Dodge Durango.

Johnson's passenger had owed Jackson \$45 for marijuana. Johnson held a gun outside the driver's side window and fired two shots to "scare him." The bullets ricocheted off the SUV's hood, striking Jackson.

The jury found Johnson guilty of several charges, including: aggravated battery, battery by means of a deadly weapon, possession of methamphetamine, and information of an illegal drug lab.

Johnson then pleaded guilty to being a habitual substance offender, which is a sentencing enhancement.

The lead charge against him had been attempted murder, but Busch dismissed that count based on testimony about how the bullet that struck Johnson ricocheted.

The drug charges stem from Mason jars, funnels, medicine containing pseudoephedrine and other ingredients commonly used to make meth that were found in the vehicle he was driving when he was arrested on Oct. 30.

Johnson admitted Friday that he planned to sell enough meth to skip town before police arrested him for the

shooting.

His defense attorney, Brian Dekker, spent most of Friday's sentencing hearing going over Johnson's difficult upbringing. In addition to longtime substance abuse, Johnson has been diagnosed with attention deficit and hyperactivity disorder and bipolar disorder.

But that brought little comfort to Jackson's mother, Kara Jackson, who asked Busch to hand down the maximum.

"I was there when they had to resuscitate Karlon. You shot at him twice," she said. "He didn't have a gun. You ran over his bike. You were in a big truck, and he was on a bike.

"My son could have died that night. You didn't think of anyone but yourself."

**September 30, 2011: WLFI TV**

### **Suspect pleads guilty in rape case**



- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man has admitted his guilt in a 2007 rape case.

35-year-old Gustavo Miramontes pleaded guilty to three felony charges Friday morning in Tippecanoe Superior Two. His charges include Rape, Criminal Deviate Conduct, and Confinement.

According to court records, in August 2007, a woman told police she passed Miramontes on a sidewalk in Lafayette, and he grabbed her by the neck, dragged her down the sidewalk and raped her behind a building. After less than a minute, Miramontes ran away when he saw police cars nearby.

Miramontes' sentencing is set for December 15.

**September 30, 2011: WLFI TV**

### **Man allegedly hit pregnant girlfriend with bat**



LAFAYETTE, Ind. (WLFI) - A Lafayette man is charged with four felonies for allegedly assaulting his pregnant

girlfriend with a baseball bat.

27-year-old Antwan Parks' charges include felony battery, strangulation and two counts of domestic battery, as well as two misdemeanor battery charges.

According to court documents, Parks was drinking at an apartment near his girlfriend's, when he returned to her home, punched her in the face and started choking her.

He claimed he was upset about rumors his girlfriend had told about him.

After the girlfriend locked Parks out of the house, he kicked the door in and started swinging a metal bat at her, hitting her several times in the stomach and head.

The documents said this all happened in front of her eight-year-old and three-year-old children.

**September 30, 2011: Lafayette Journal and Courier**

## **Couple charged with hauling kids in back of U-Haul**

A phone call made by a concerned passer-by who saw two children climb into the back of a U-Haul truck before it headed down the highway has resulted in charges against their parents.

The father, 23-year-old Gregory O. Kirk Jr. of Indianapolis, was charged Thursday in Tippecanoe Superior Court 2 with neglect of a dependent, a Class D felony, and operating a vehicle while having a controlled substance -- allegedly, marijuana -- in the body, a Class C misdemeanor.

The mother, 25-year-old Dominique G. Johnson of Indianapolis, was charged with neglect.

The incident occurred in February on Indiana 43 North near Interstate 65 and the Indiana State Police post.

Warrants were issued Thursday for their arrests. A phone call placed Thursday night to a home telephone listing for a Gregory O. Kirk in Indianapolis went unanswered.

Charges in the case were delayed because the prosecutor's office was waiting on toxicology results, Prosecutor Pat Harrington said. In February, the state's toxicology lab was in the midst of an internal audit, and some samples were sent for testing to private labs.

Harrington said the person who called police likely saw the children climb into a box truck-style U-Haul at one of the gas stations on Indiana 43 North. As of late Thursday afternoon, his office was still trying to confirm the details with Indiana State Police.

According to a probable cause affidavit filed with the charges, the caller told police that the children were riding unrestrained in the truck's cargo area.

When ISP Trooper Kent Wainscott stopped the vehicle on Indiana 43, Kirk was driving. The couple had two children, ages 4 and 1, in the front seat with them.

They then allegedly admitted that someone was in the unheated cargo portion of the U-Haul. When Kirk opened the back door, Wainscott found two other children -- a 9-year-old boy and a 4-year-old boy -- jumping and playing in the cargo area.

The back of the U-Haul also contained random household items.

Harrington said people seated in the front seat could not see into the cargo area of the truck.

**September 30, 2011: WLFI TV**

## Couple face charges for kids in U-HAUL



TIPPECANOE COUNTY, Ind. (WFLI) - An Indianapolis couple faces felony charges in Tippecanoe County, for allegedly allowing two children to ride, unrestrained, in the back of a U-Haul truck.

23-year-old Gregory Kirk Jr. and 25-year-old Dominique Johnson are each charged with a Class D felony count of Neglect of a Dependent in Tippecanoe Superior Two.

According to court documents, the couple was driving a U-Haul truck on State Road 43 back in February.

After police pulled the truck over for an improper lane change, officers found a four-year-old and a nine-year-old were jumping and playing in the cargo portion of the truck.

There was also another four-year-old and a one-year-old unrestrained in the front seat.

Kirk faces an additional misdemeanor for driving with marijuana in his system.

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**September 29, 2011: Lafayette Journal and Courier**

## Man sentenced in gang-related fight

A Lafayette man will serve 90 days on community corrections and one year and 90 days on supervised probation for summoning members of his Sur 13 gang to beat up people in a vehicle that tried to pass around his mo-ped.

The incident occurred in July 2010 near Wildcat Creek.

The suspect, 28-year-old Manuel E. Rodriguez, pleaded guilty this past July in Tippecanoe Superior Court 2 to intimidation, a Class D felony. He was sentenced Wednesday.

According to court documents, the victims of the beating were headed to Wildcat Creek Park when they came upon and tried to pass two people on mo-peds.

One of the victims yelled at the male mo-ped rider, leading to an argument between the victims, their friends and the mo-ped riders. About 30 minutes later, the victims were attacked by the mo-ped rider and other men who were armed with baseball bats.

**September 29, 2011: Lafayette Journal and Courier**

## Hidden camera cited in child exploitation charge

After a 12-year-old girl found a cellphone hidden in her closet and set to record video, criminal charges have



been filed against her West Lafayette caretaker, court documents allege.

The suspect, 48-year-old Sean A. Hershberger, was charged Wednesday in Tippecanoe Superior Court 2 with one count each of child molesting and child exploitation.

Both counts are Class C felonies.

A home telephone listing could not be found to reach Hershberger for comment.

Lt. Troy Harris, commander of the West Lafayette Police Department's detectives division, said Hershberger was originally arrested in late August, when the phone and alleged videos were found.

He's scheduled to appear before a judge on Oct. 14 for an initial hearing on the charges.

Following is a summary of what investigators suspect took place, according to a probable cause affidavit filed the charges:

The 12-year-old was staying at Hershberger's West Lafayette apartment in late August when he reportedly told her to take a shower. The girl was changing into clothes afterward when she spotted a cellphone on a closet shelf.

The phone was in "record video" mode.

The girl later told investigators of another instance when she visited Hershberger sometime between May 1 and July 31 and woke up to his hand on her bare breast.

Harris said investigators were able to recover video from a cellphone in Hershberger's apartment that matched the girl's statements. A forensic examination of the phone also turned up four other videos that had been deleted.

**September 29, 2011: Lafayette Journal and Courier**

## **Charges claim pregnant woman hit with hammer**

A 22-year-old immigrant remains in the Tippecanoe County Jail today after allegedly using a hammer to strike the pregnant mother of his child, court documents allege.

Jonathan Zermeno, 22, was charged Wednesday in Tippecanoe Superior Court 1 with battery resulting in bodily injury to a pregnant woman, a Class C felony, and domestic battery in the presence of a child, a Class D felony.

He was being held Wednesday night in the Tippecanoe County Jail on a \$10,000 surety bond. Immigration and Customs Enforcement also placed a hold against him, jail staff confirmed, which means Zermeno likely is in the United States illegally.

The woman, Daniela Santos, was treated at St. Elizabeth East hospital. An update on her condition was not available Wednesday. Hospital officials said they had no information about her.

According to a probable cause affidavit filed with the charges, Santos told sheriff's deputies the incident began when Zermeno allegedly became jealous over something he found on her cellphone.

Santos said she was sitting on the couch when a bowl of cereal was thrown at her. She claimed that Zermeno then threw a glass elephant into the wall and smashed a table and chair.

The incident escalated as Zermeno allegedly called her a name and came after her, all in front of their daughter.

Santos told deputies she bit his arm to get away. After going outside for 10 minutes, she walked back into their apartment and saw Zermeno grab a hammer from a kitchen door.

Santos said Zermeno swung it at her head but missed because she ducked. He then allegedly struck her on the back with it, causing Santos to fall onto the floor.

Zermeno then left, and Santos called a friend for help. Zermeno was arrested on Friday, the same day that sheriff's deputies went to speak with Santos at the hospital.

As of Wednesday afternoon, Tippecanoe County court records did not indicate whether Zermeno has hired or been appointed an attorney.

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**September 28, 2011: WLFI TV**

### **WL man admits to child molestation**



WEST LAFAYETTE, Ind. (WLFI) - A West Lafayette man admits to videotaping a 12-year-old girl while she changed at his apartment, according to a probable cause affidavit.

48-year-old Sean A. Hershberger faces two felonies, including child molesting and child exploitation.

Police said Hershberger set up a cell phone to tape the 12-year-old changing clothes.

According to court documents, Hershberger told police he also pulled the girl's top up while she slept and touched her inappropriately.

**September 28, 2011: WLFI TV**

### **Man allegedly beats mother of his child**



LAFAYETTE, Ind. (WLFI) - A Lafayette man faces two felony charges after police said he beat up the mother of his child.

22-year-old Jonathan Zermeno has been charged with battery and domestic battery after police said he beat up

the mother of his little girl, all of whom he lived with.

According to court documents, last week, Zermeno became jealous after finding items on her cell phone.

The probable cause affidavit states Zermeno threw glass, a table, chair and other items in the apartment.

The woman told police Zermeno tried to hit the woman in the head with a hammer, but missed and then beat her in the center of her back with it.

The woman was taken to the hospital later by a friend.

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**September 27, 2011: Lafayette Journal and Courier**

### **3 face federal indictment in rifle theft**



By DOROTHY SCHNEIDER

When Joshua Lee Robinson and Tyler Wayne McCoy stole a rifle from a southern Tippecanoe County home on July 25, they weren't planning on keeping it, prosecutors said. They might be in less trouble if they had.

The 21-year-olds from Lafayette also took two televisions in that burglary and had stolen goods in at least one other robbery the same week, according to court documents.

The pair and one other associate, 20-year-old Nicholas Jackson, now face federal charges stemming from that gun theft and the plans prosecutors say they had to resell the weapon on the streets of Chicago.

Local and federal law enforcement officials gathered in Lafayette on Monday to discuss this case and its representation of the larger problem - interstate gun trafficking running from Lafayette to Chicago.

"This investigation clearly demonstrates the regional nature of the crime problem. Citizens of Tippecanoe County are being victimized by the demand for stolen weapons in a city some 125 miles away," said David Capp, U.S. Attorney for the Northern District of Indiana.

The nine count federal indictment includes the following charges:

- Four counts against Robinson, including being a felon in possession of a firearm, unlawful user of a controlled substance (heroin) in possession of a firearm, possession of stolen firearms and possession of a stolen firearm with an altered serial number.
- Three counts against McCoy, including being an unlawful user of a controlled substance (heroin) in possession of

a firearm, possession of stolen firearms and possession of a stolen firearm with an altered serial number.

- Two counts against Jackson, including being an unlawful user of a controlled substance (marijuana) in possession of a firearm and possession of a stolen firearm with an altered serial number.

The initial investigation led to Robinson and McCoy, who were charged locally and then had federal detainers lodged against them last week.

Jackson was arrested on a federal warrant last Friday.

The investigation revealed the stolen guns were destined for resale in Chicago, but Capp would not say how that information was obtained.

The Bureau of Alcohol, Tobacco and Firearms Enforcement is investigating and dismantling the network that's moving guns from Indiana to Chicago, Capp said.

This work is being done in conjunction with local agencies, such as the Tippecanoe County Sheriff and Lafayette Police departments as were used in this case.

"Crime doesn't start or stop at the county line," Tippecanoe County Prosecutor Pat Harrington said, adding that he appreciates the teamwork between local and federal officials in fighting this problem.

Harrington also urged residents to be watchful of suspicious activity in the neighborhood and report it to police to help curb daytime burglaries.

Sheriff Tracy Brown also advised residents to keep homes and vehicles locked. And he said gun owners should inventory their weapons, including serial numbers, and invest in a gun safe.

**September 27, 2011: WLFI TV**

## **Maintenance man faces burglary charges**



WEST LAFAYETTE, Ind. (WLFI) - An apartment maintenance man faces burglary charges after police say he stole a tenant's bike.

24-year-old Juan Archuletta was charged Monday in Tippecanoe County with three counts - information of burglary, residential entry, and theft.

According to court documents, it all started back in May when a West Lafayette resident got home to find his bicycle gone.

The tenant told police no one had a key to his North Salisbury street apartment, except management.

The building manager said Archuletta had a master key to do maintenance work.

Detectives said Archuletta admitted to them he took the bike.

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**September 26, 2011: Lafayette Journal and Courier**

## **Three indicted for federal gun crimes**



By *DOROTHY SCHNEIDER*

Three Lafayette men have been indicted for gun crimes that law enforcement officials say are part of a larger network of gun trafficking between here and the streets of Chicago.

"This investigation clearly demonstrates the regional nature of the crime problem. Citizens of Tippecanoe County are being victimized by the demand for stolen weapons in a city some 125 miles away," said David Capp, U.S. Attorney for the Northern District of Indiana.

The nine count federal indictment includes the following charges:

- Four counts against Joshua Lee Robinson, 21, including being a felon in possession of a firearm, unlawful user of a controlled substance (heroin) in possession of a firearm, possession of stolen firearms and possession of a stolen firearm with an altered serial number.
- Three counts against Tyler Wayne McCoy, 21, including being an unlawful user of a controlled substance (heroin) in possession of a firearm, possession of stolen firearms and possession of a stolen firearm with an altered serial number.
- Two counts against Nicholas Jackson, 20, including being an unlawful user of a controlled substance (marijuana) in possession of a firearm and possession of a stolen firearm with an altered serial number.

The investigation stemmed from several home burglaries in late July in which weapons and other items were stolen. The investigation led to Robinson and McCoy, who were charged locally and then had federal detainers lodged against them last week. Jackson was arrested on a federal warrant last Friday.

The investigation revealed the stolen guns were destined for resale in Chicago but Capp could not say how that information was obtained.

Capp said resources from the Bureau of Alcohol, Tobacco and Firearms Enforcement are being directed at investigating and dismantling the network that's moving guns from Indiana to Chicago. This work is being done in

conjunction with local agencies, such as the Tippecanoe County Sheriff and Lafayette Police departments as were used in this case.

For more on this story read Tuesday's Journal & Courier

**September 24, 2011: WLFI TV**

### **Laf. men charged: Firearms trafficking**



Tyler Wayne McCoy

Joshua Lee Robinson

HAMMOND, Ind. (WLFI) - Three Lafayette men were charged with multiple gun crimes Monday morning.

Local authorities investigated several home burglaries with weapons and other items that were stolen.

Investigation revealed the stolen guns were meant for resale in Chicago.

21-year-old Joshua Robinson was charged with four counts of being a felon in possession of a firearm, being an unlawful user of a controlled substance (heroin) in possession of a firearm, possession of stolen firearms, including a .223 caliber rifle and a 20-gauge shotgun, and possession of a firearm with an altered serial number.

21-year-old Tyler McCoy was charged with three counts of being an unlawful user of a controlled substance (heroin) in possession of a firearm, possession of stolen firearms, also a rifle and 20-gauge shotgun, and possession of a firearm with an altered serial number.

The burglary investigation led to Robinson and McCoy being charged with Class B burglary, Class D residential entry and Class D theft by the Tippecanoe County Prosecutor.

Robinson and McCoy are in custody at the Tippecanoe County jail.

20-year-old Nicholas Jackson was arrested on a federal warrant Friday and is charged with being an unlawful user of a controlled substance (marijuana) in possession of a firearm, a 20-gauge shotgun, and possession of a firearm with an altered serial number.

United States Attorney David Capp said, "This investigation clearly demonstrates the regional nature of the crime problem. Citizens in Tippecanoe County are being victimized by the demand for stolen weapons in a city some 125 miles away."

**September 23, 2011: WLFI TV**

### **Man charged for punching stranger Faces two felony charges**



- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces criminal charges for allegedly assaulting a man he had just met.

29-year-old Christopher Nuppnau was charged Friday in Tippecanoe Circuit Court with battery and criminal recklessness, both felonies.

According to court documents, last month Nuppnau walked into a backyard and asked three other men if he could have a cigarette. The men told police after they gave him the cigarette, they asked him to leave.

The documents say, Nuppnau then punched one of the men in the face, causing him to break his jaw and lose a tooth.

Nuppnau has a criminal history that includes theft and robbery convictions.

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**September 22, 2011: WLFI TV**

## **Injured soldier charged with felony Braman charged with criminal recklessness**

- Tiffanie Dismore

LAFAYETTE, Ind. (WLFI) - An injured soldier who came home to Lafayette just last month has been charged with criminal recklessness, a class D felony and carrying a handgun without a license, a class A misdemeanor.

Army Specialist Eric Braman was arrested last month after firing shots from a revolver outside of the End Zone Sports Bar in Lafayette .

According to court documents released Thursday, Braman said on August 27 he was leaving the bar with his brother when he got into an argument with another man, because the man was "staring at him". Witnesses told police they heard Braman tell the man he didn't like the way he was looking at him.

Also in the probable cause, Braman said he pulled out the gun, pointed it at his brother's head, but fired a shot into the air and at the ground. Witnesses told police they saw Braman, who has a prosthetic leg, leave the parking lot.

Police said Braman used a Taurus "The Judge" revolver to fire the shots into the air. One of the bullet fragments ricocheted off the pavement and hit another man in the shoulder. Police found what appeared to be two projectiles and wadding in the parking lot of the bar.



Braman turned himself into police later that morning. Braman told police he was bar hopping with his brother that night and had a revolver in his possession and admitted he didn't have a permit to carry a handgun.

The court documents say Braman initially claimed the gun was loaded with only blanks, but later admitted it was loaded with home defense rounds and not blanks.

**September 22, 2011: WLFI TV**

## **Student admits to vandalizing campus Student charged with Class D Felony**

- Tiffanie Dismore

WEST LAFAYETTE, Ind. (WLFI) - A Purdue student has admitted to vandalizing more than 20 structures on campus.

22-year-old Christopher Komlos has been charged with criminal mischief, a class-D felony, for defacing property at Purdue.

According to court documents, Komlos told police he was solely responsible for using black spray paint and a stencil to make these marks at more than 20 locations across campus on August 25. Court papers said acquaintances of Komlos were with him when he damaged campus property and told police Komlos committed the crime.

Police estimate the damage to cost more than 7,000 dollars.

Komlos will appear for his initial hearing on October 3.

**September 22, 2011: Lafayette Journal and Courier**

## **Charges filed against Lafayette soldier**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Criminal charges were filed today against a Lafayette soldier accused of firing two shots into the air during an argument with another man outside a south side bar.

A third man was struck in the chest by either a ricocheted bullet or debris. The man was not seriously injured.

Eric Braman, 24, was arrested on Aug. 27 on suspicion of criminal recklessness with a deadly weapon and carrying a handgun without a license. He was released from the Tippecanoe County Jail after posting a \$5,000 surety bond.

He was charged today in Tippecanoe Superior Court 5 with criminal recklessness while armed with a deadly weapon, a Class D felony, and carrying a handgun without a license, a Class A misdemeanor.

An initial hearing on the charges is scheduled for Monday morning.

Braman lost his lower right leg after a rocket-propelled grenade struck the military vehicle he was riding in during a patrol in Afghanistan a year ago. He returned to Lafayette in early August after 11 months of physical therapy at a Washington, D.C., hospital.

A parade in Braman's honor was canceled following his arrest.

Braman could not be immediately be reached by telephone this afternoon.



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**September 19, 2011: WLFI TV**

## **Man charged for church break-in Allegedly tried choking police dog**

Kristin Maiorano

CLARKS HILL, Ind. (WLFI) - A Clarks Hill man is facing felony charges for allegedly breaking into a local church.

21-year-old Kipp Kever was charged Monday in Tippecanoe Superior I with burglary, theft and criminal mischief, all felonies. He also faces misdemeanor charges of resisting law enforcement and interfering with a law enforcement animal.

According to court documents, police were called to the Clarks Hill Christian Church on September 13, for a burglary in process.

When police sent a police dog into the church, they heard what sounded like the dog choking. They found Kever with the dog, and said he refused to follow their instructions.

After using a Taser on Kever, they found he had a knife in his pocket, along with some pill canisters he allegedly stole from the church.

Kever also told police he tried choking the police dog after it bit him.

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**September 16, 2011: Lafayette Journal and Courier**

## **Second molestation trial ends like first: Guilty**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former Tippecanoe County man has again been found guilty of sexually abusing a young boy in his care over several years.

Larry R. Cox, 43, of Crawfordsville stood trial Thursday and Friday in Tippecanoe Superior Court 2 for a second time on 15 counts of child molestation -- 10 Class A felonies and five Class C felonies.

Jurors deliberated for 55 minutes Friday before finding Cox guilty of all counts. He'll be sentenced next month by Superior Court 2 Judge Thomas Busch.

Cox had to be retried because the Indiana Court of Appeals last November threw out his convictions on grounds that the victim's videotaped interview should not have been used in lieu of actual testimony because the boy was not sworn in under oath first.

That meant the boy, now 12 years old, had to take the witness stand. He described in graphic detail the times that Cox allegedly made him undress and perform sexual acts, beginning when he was about 5 years old.

Cox was a neighbor and acquaintance of the boy's mother.

The boy eventually told a cousin, who then told the boy's aunt. Cox was formally charged in October 2008. His first trial was held in October 2009.

"He told me not to tell anyone, but I told anyway," the boy's cousin, 13, testified during the retrial. "He didn't want

to get hurt."

When asked by Deputy Prosecutor Laura Zeman why he told, the cousin replied, "Because I figured he would get hurt more."

"... We were playing video games. He had a serious look on his face, like he was about to cry."

The Journal & Courier typically does not identify the alleged victims of sex crimes or their family members.

Cox's defense during both trials was that he never touched the boy. Cox and the boy used to show dogs and rabbits together, and Cox also taught the boy how to hunt.

Cheri Pruitt, a former investigator in the Tippecanoe County prosecutor's office, is the person who interviewed the boy when the molestation allegations were first reported.

She testified that the boy's conflicting feelings toward Cox, whom the boy considered a father figure, are common for victims of sexual abuse. Part of Pruitt's testimony was given without the jury present because of the Court of Appeals' ruling.

"These children don't necessarily hate the person who did something to them," she said.

Cox was represented by Lafayette attorney Dan Moore.

Each Class A felony count against Cox is punishable by 20 to 50 years in prison, and the counts can be served consecutively because they occurred at separate times over a number of years.

But because this was a retrial, his new sentence cannot exceed the original, Prosecutor Pat Harrington said.

That means Cox faces up to 50 years in prison.

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**September 15, 2011: WLFI TV**

### **Man faces up to 88 yrs for drug-dealing**



LAFAYETTE, Ind. (WLFI) - A man faces up to 88 years in prison for dealing drugs.

38- year-old Larry Schine was convicted on several charges, including dealing cocaine and being a habitual substance offender.

In October 2010, the Lafayette drug task force bought cocaine from Schine at a motel.

We're told Schine has 11 prior felony convictions

## 2 Laf. men caught in alleged burglary



LAFAYETTE, Ind. (WLFI) - Two Lafayette men face a variety of criminal charges after being caught in an alleged burglary.

Nicholas Corbin and Christopher Widner were arrested on Saturday morning after a woman's garage was broken into in the Sheridan Woods neighborhood in West Lafayette.

Police arrested the pair after a high-speed chase on State Road 43, which ended near Stadium and Grant Streets.

Corbin and Christopher are each charged with nine felonies, including auto theft and burglary.

Prosecutors said the pair is responsible for a variety of break-ins, including at the American Legion Post on South Ninth Street.

**September 15, 2011: Lafayette Journal and Courier**

## Boy, 12, takes stand, testifies in molesting retrial

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Tippecanoe County jury is expected to decide today whether a former Stockwell man, on trial a second time for the same charges, is guilty of repeatedly molesting a young boy.

Larry R. Cox, 43, of Crawfordsville was convicted in October 2009 of 15 counts of child molestation -- 10 Class A felonies and five Class C felonies -- and subsequently sentenced to 50 years in prison.

But last November, the Indiana Court of Appeals reversed those verdicts and ordered a new trial. Part of the high court's reason: Jurors should not have been shown the alleged victim's videotaped interview with a prosecutor's investigator because he was not sworn in beforehand under oath.

The appellate court also ruled that playing the videotaped statement while having the boy, then 10 years old, on the witness stand was unfairly prejudicial to Cox.

Testimony in Cox's new trial began Thursday afternoon in Tippecanoe Superior Court 2.

This time around the boy, now 12, had to testify live.

He told jurors that his mother and Cox are former acquaintances, and Cox often baby-sat when his mother worked third shift. The alleged sexual contact occurred when they were alone.

The boy said it occurred "in my head, could be more than a hundred times" since before he began kindergarten.

The Journal & Courier typically does not identify the alleged victims of sex crimes.

"I was scared. ... If I hadn't done it or if I told, he said he would cut my tongue out," the boy said, explaining in graphic detail how he was forced to perform sexual acts.

Cox's arrest came in October 2008, after the boy told a cousin what had allegedly been taking place.

During cross examination by defense attorney Dan Moore, the boy admitted watching crime television shows -- among them, CSI: Crime Scene Investigation and Law & Order -- but was adamant that he was not lying.

"It's the truth. It's what he did to me," the boy said.

Cox faces the original 15 counts of child molestation.

Testimony will continue this morning.

According to Moore, the court of appeals ruling made the boy's videotaped statement inadmissible for this trial.

Deputy Prosecutor Laura Zeman is presenting the case for the state.

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**September 10, 2011: Lafayette Journal and Courier**

## **Lookout sentenced to 14 years for role in holdup**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Michael J. Gosnell, who served as the lookout during an armed robbery at a convenience store, was sentenced Friday to 14 years in prison for his role in the heist.

Investigators linked 22-year-old Gosnell, of Lafayette, to a July 17, 2010, holdup at Village Pantry, 5150 Brady Lane in Lafayette, after he attempted to cash stolen lottery tickets at several local gas stations.

Gosnell's arrest then led police to two co-defendants: 27-year-old Brandon Harris of Lafayette and 21-year-old Otoniel Muro-Esparza, a Mexican national.

All three faced similar charges.

Gosnell pleaded guilty last month in Tippecanoe Circuit Court to conspiracy to commit robbery by means of a deadly weapon; robbery by means of a deadly weapon and theft.

"I'd like to apologize for coming into your court for this nonsense," he told Judge Don Daniel during Friday's sentencing hearing.

Gosnell's prison time will be followed by two years on supervised probation.

Harris, who brandished a knife at the Village Pantry clerk, pleaded guilty last month to robbery with a deadly weapon and being a habitual offender. He was sentenced to 30 years in prison.

Muro-Esparza pleaded guilty to the same counts as Gosnell. He was sentenced last month to 15 years in prison and faces deportation to Mexico afterward.

They are jointly responsible for paying \$784.24 in restitution.

According to information presented by Deputy Prosecutor Reid Murtaugh during Gosnell's sentencing hearing, all

three men also were involved in a holdup at a Lafayette cash advance store.

Though formal charges have not been filed, Harris admitted to that crime while providing investigators with a "cleanup statement" -- as required by his plea agreement with the prosecutor's office, Murtaugh said.

That robbery took place on Aug. 10, 2010, at Advance America Cash Advance, 405 Sagamore Parkway South. One man entered the business and threatened the employee with a knife.

Murtaugh said the other suspects waited outside the business for several hours.

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**September 9, 2011: WLFI TV**

### **Man charged in heroin case Allegedly had 5.68 grams of heroin**



LAFAYETTE, Ind. (WLFI) - A Lafayette man faces felony charges for allegedly possessing several grams of heroin that he intended to sell.

32-year-old Brian Lee Conrad was charged Friday in Tippecanoe Superior I with Dealing in a Narcotic Drug and Possession of a Narcotic Drug, both Class A felonies. Conrad also faces a misdemeanor charge of Possession of Paraphernalia and a sentencing enhancement of being a Habitual Substance Offender.

According to court documents, police noticed Conrad acting suspicious in his car in Lafayette, in the early morning hours Thursday. When police approached him, he got out of his car and had his hands in his pockets.

Police asked him to take his hands out of his pockets, and noticed he appeared to have thrown something, the documents say. Police later found a syringe on the ground near Conrad's feet, and his wallet was found a short distance away, containing 15 small pags of heroin, totaling 5.68 grams.

A Class A felony could carry a total prison sentence of 20 to 50 years.

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**September 8, 2011: Lafayette Journal and Courier**

### **Lafayette infant hospitalized, mother charged**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Twenty-year-old Miranda R. Moore is accused of intentionally injuring her 2-month-old daughter, causing her to be hospitalized in critical condition in Indianapolis.

Moore, of Lafayette, was arrested Sept. 1 and charged today in Tippecanoe Circuit Court with one count of neglect of a dependent resulting in serious bodily injury, a Class B felony.

She was being held this afternoon in the Tippecanoe County Jail on \$12,500 surety and \$1,250 cash bonds. Lafayette police Detective Joe Clyde said Moore's daughter has been listed in "critical but stable" condition since Aug. 29 — the day she was transferred from St. Elizabeth East to Peyton Manning Children's Hospital at St. Vincent in Indianapolis.

The girl, who was born June 16, according to birth records printed in the Journal & Courier, is identified in court documents by only her initials, L.M.

The baby suffered a skull fracture and "extensive retinal bleeding," and doctors at St. Vincent determined her injuries were caused by a hard impact and excessive shaking, according to a probable cause affidavit filed with the charges.

Moore's husband told investigators people have suspected that his wife is suffering from postpartum depression. He described incidents where his wife became frustrated with their newborn — sometimes handling her "roughly" and lashing out.

Investigators suspect the injuries were inflicted on Aug. 22 or 23, based on information from Moore's husband about hearing a loud thump and then finding his wife and their daughter in the bathtub. The girl was not breathing, but she began moving a short time later.

Lafayette police were not contacted until Aug. 27, when the couple called from an ambulance to their apartment in the Claystone at the Crossing complex on Lafayette's south end.

**September 8, 2011: Lafayette Journal and Courier**

## **Parents charged with neglect of toddler who wandered into street**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Charges have been filed against the mother and father of a Lafayette toddler who was found last month wandering alone at a gas station and nearly walked into rush-hour traffic.

The boy's parents, Crystal N. Allen, 26, and Orestes R. Glover, 42, were charged Wednesday in Tippecanoe Circuit Court with neglect of a dependent, a Class D felony, and misdemeanor charge of false informing.

Allen also was charged with misdemeanor resisting law enforcement, based on allegations that she fought with police officers, then removed her leg restraints and slipped out of handcuffs.

According to a probable cause affidavit filed with the charges, Lafayette police were called to a Citgo gas station at 999 S. Creasy Lane about 5:20 p.m. Aug. 30, after a woman saw a boy almost walk into traffic at Creasy and McCarty lanes.

The woman's daughter jumped out of the vehicle to grab the boy, and they went into Citgo for help.

When officers first arrived, the 3-year-old boy appeared to be unaware of his surroundings and could not speak. An officer followed the boy to see if he would go back home. Police eventually learned that he lived at 1018 Julia Lane - about a half-mile from the gas station.

When officers went to that address, Glover answered the door. He said he was the boy's father. Though he does not live there, Glover said he had been watching the boy's younger brother.

The false informing charge is based on allegations that Glover lied about other adults being in the home with officers arrived. Another woman - Diana Allen, who was not arrested - was found hiding in a closet.

Crystal Allen showed up while officers were still at the house. According to police, she claimed she had been shopping. According to police, she said the 3-year-old was playing outside with other kids when she left. Crystal Allen is accused of running into a bathroom and resisting arrest.

Information on the 3-year-old's current whereabouts was not available on Wednesday.

Glover remained in the Tippecanoe County Jail on Wednesday night on \$3,750 surety and \$375 cash bonds. Crystal Allen posted bond on Tuesday and was released.

**September 8, 2011: Lafayette Journal and Courier**

## **Man charged in Village Pantry stabbing**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Mark A. Neal, 50, of Lafayette, was formally charged Tuesday with randomly attacking and stabbing another man in the face and arm during a confrontation Aug. 30 at a Village Pantry convenience store.

Neal was charged in Tippecanoe Superior Court 1 with aggravated battery; battery by means of a deadly weapon; battery resulting in bodily injury; and criminal recklessness by means of a deadly weapon and resulting in bodily injury.

All four charges are felonies.

Neal remained in the Tippecanoe County Jail on Tuesday night on \$12,500 surety and \$1,250 cash bonds.

Investigators have not been able to find a motive for the attack, according to a probable cause affidavit filed with the charges. The suspect and the victim did not know each other.

Surveillance video showed the victim, 30-year-old Elree Jones, using the phone inside Village Pantry at 1008 S. Fourth St. when another man entered the store, approached Jones and began swinging a knife at him.

Jones ran away, and the suspect - believed to be Neal - chased after him. Jones was able to run to his nearby apartment.

Jones needed surgery to repair the radial artery and multiple muscles to one eye. He also had surgery to treat the cut under his eye.

Neal currently is on probation for 2006 convictions for being a habitual traffic violator, possession of marijuana and operating a vehicle while intoxicated.

**September 8, 2011: WLFI TV**

## **3-year-old found wandering, 2 charged**

LAFAYETTE, Ind. (WLFI) - Two Lafayette residents now face criminal charges after a 3-year-old boy was found wandering alone near a gas station.

26-year-old Crystal Allen and 42-year-old Orestes Glover each face several charges, including neglect of a dependent and resisting law enforcement.

Lafayette police were called to the Citgo gas station at Creasy Lane and McCarty Lane on August 30.

Officers found a 3-year-old boy alone. Officers determined the child was non-verbal, but eventually followed him to a nearby home.

Investigators said Glover answered the door.

At first, he said he was the boy's father, but later changed his statement to say he was an uncle, but it wasn't his job to watch the child.

Police said Allen later returned home and wrestled with officers when they tried to arrest her.

According to the probable cause affidavit, police have surveillance video showing the boy nearly walking into the street before a passing car stopped to keep him from going into traffic.

**September 8, 2011: WLFI TV**

## **Laf. mother faces child abuse charges**

LAFAYETTE, Ind. (WLFI) - A Lafayette mother faces a felony charge after doctors discovered her infant daughter had a skull fracture.

19-year-old Miranda Moore is charged with neglect of a dependent resulting in serious injury.

When Moore's two and half-month-old daughter had trouble breathing late last month, Lafayette Police were called to Moore's home on Cernan Court.

The baby girl was taken to the hospital where doctors later discovered she had a skull fracture and bleeding in her eyes and brain.

Specialists determined child abuse was the cause.

Moore later told doctors the girl had bumped her head on the tub, but doctors said the injuries are from a much more serious impact and excessive shaking.

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**September 7, 2011: Lafayette Journal and Courier**

## **Twice-convicted child molester faces 40-100 years**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

An twice-convicted child molester who was scheduled to be released from the Indiana Department of Correction on Saturday now faces 40 to 100 years in prison for the same offense.

William J. Bruce, 38, was found guilty Wednesday afternoon of two counts of child molesting, Class A felonies, following a jury trial in Tippecanoe Superior Court 2.

Jurors deliberated for about three hours before returning the verdicts.

Prosecutor Pat Harrington said two hours have been set aside for Bruce's sentencing hearing before Judge Thomas Busch on Nov. 22. Most sentencing hearings are done in less than a hour.

The charges stemmed from an investigation by Lafayette police that began in November 2009.

The victim, now a teenager, told a counselor that he was forced to perform sexual acts with the father of a



classmate a decade ago.

Formal charges were filed in May 2010.

Jurors on Wednesday heard testimony from the boy, who told investigators that he was molested in the Bruce's home. The boy had gone there to play with Bruce's son.

The Journal & Courier does not identify suspected victims of sexual-based crimes by name.

According to court documents, information from the boy also led detectives to Bruce's ex-wife and mother of his four children, Rhonda Glass. Glass remembered times that the suspected victim slept over - including an instance when Bruce and the boy were in the bathroom together, while she watched television in an adjacent room.

Glass also provided the name of a girl she baby-sat in the mid-1980s and described witnessing and being involved in a sexual act with the girl and Bruce. Glass, who is mentally impaired, was never formally charged.

Charges were filed in that case, but Bruce's attorney, Tim Broden, was successful in getting those counts dropped.

Broden filed a motion to dismiss on grounds that the charges violated a plea agreement that Bruce signed in 2002.

Bruce currently has three more days to serve as part of a 21-year prison sentence handed down in Tippecanoe County in November 2002. Bruce had pleaded guilty to two counts of child molesting, Class C felonies, for incidents involving five young children he baby-sat and playmates of his kids.

As part of his plea agreement, the prosecutor's office agreed to not pursue charges in other cases that were known to law enforcement at the time. That included the girl identified by Glass.

Bruce was previously convicted as a juvenile for child molesting, according to Journal & Courier archives.

He was again charged with child molesting in 1996, but a trial on those allegations ended in a hung jury.

**September 7, 2011: WLFI TV**

### **Update: Child molester found guilty Victim takes the stand against accuser**



Updated: Wednesday, 07 Sep 2011, 5:19 PM EDT  
Published : Wednesday, 07 Sep 2011, 11:13 AM EDT

- Joe LePage

LAFAYETTE, Ind. (WLFI) - Tippecanoe County Prosecutor Pat Harrington said the jury deliberated for three hours before finding Billy Bruce guilty on two counts of child molestation, both felonies.

Billy Bruce was in Superior Court 2 Wednesday morning. He was accused of molesting a young boy - twice.

Sentencing is set for November 22. Harrington said Bruce faces 20 to 50 years in prison for each count.

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**September 6, 2011: Lafayette Journal and Courier**

## **Woman gets 8 years in meth case**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette woman caught smoking methamphetamine by police officers serving an arrest warrant against her acquaintance in a stabbing case was sentenced this afternoon to eight years in prison.

Melanie A. Jones, 25, pleaded guilty in July in Tippecanoe Circuit Court to possession of meth, a Class B felony, and information of an illegal drug lab, a Class C felony.

Her prison sentence will be followed by three years on community corrections — some combination of home detention, work release and day reporting — and six years on probation, Prosecutor Pat Harrington said.

**September 6, 2011: WLFI TV**

## **Man charged for stabbing**

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces four felony charges for allegedly stabbing another man at a Lafayette Village Pantry store.

50-year-old Mark Alan Neal was charged today in Tippecanoe Superior One with aggravated battery, two counts of battery and one count of criminal recklessness.

According to court documents, police were called to the Village Pantry on South 4th Street around 2:20 a.m. last Tuesday.

Police reviewed security footage, which showed an older white male approaching Elree Jones in the store while he was on the phone.

The suspect was later identified as Neal, and in the video he starts swinging a knife at Jones.

Jones had surgery to repair deep cuts on his arm and under his eye. He told police he did not know Neal or why he attacked him.

**September 6, 2011: WLFI TV**

## **Woman gets 8 years on meth charges Charges from March 2011 incident with police**



- Kristin Maiorano

TIPPECANOE COUNTY, Ind. (WLFI) - A Tippecanoe County woman will spend the next several years in prison for meth charges.

21-year-old Melanie Jones was sentenced Tuesday in Tippecanoe Circuit Court for charges of possession of methamphetamine and operating an illegal drug lab, both felonies. Judge Don Daniel sentenced Jones to eight years in prison, followed by three years in community corrections.

According to Tippecanoe County Prosecutor Pat Harrington, in March 2011, police were attempting to serve a warrant on Adam Blankenship, when they observed Jones on a couch in the home smoking methamphetamine.

Blankenship has a trial scheduled on related meth charges on October 4, and another jury trial scheduled October 25 for a charge of battery with a deadly weapon.

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**September 3, 2011: Lafayette Journal and Courier**

## **Error led to murder suspect's early release, state says**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

The gruesome details surrounding Jeremy K. Gibson's abduction and beating death with a pickax or shovel on July 6 in rural Tippecanoe County was difficult enough for the Lafayette man's family.

On Friday afternoon came more bad news: One of the suspects charged in Gibson's brutal killing should have been in prison when the crime occurred.

A clerical error by the Indiana Department of Correction released Antonio O.J. Williams 17 months early, the Tippecanoe County prosecutor's office learned.

Now, Gibson's family members have tough questions they want answered.

"We are looking for justice. We're not just looking for justice for Jeremy -- this was a wrong by the state," Gibson's stepfather, James Warbritton, said during a meeting Friday at the prosecutor's office. "We want to know why, what's going to be done about it, and we would like answers. ... This is a bigger shock to the family. Something new that we never, never expected."

"We're supposed to trust the laws," said Jennifer Gibson-Sargent, one of Jeremy's sisters. "We're supposed to trust that people are going to do their job."

Doug Garrison, chief communications officer for the Indiana Department of Correction, confirmed the error Friday.

"We certainly regret our mistake that we made that led to Williams' early release, and we certainly offer our

sincere condolences to the family of Jeremy Gibson," he told the Journal & Courier.

#### The crime

Lafayette detectives suspect that Gibson, 26, was tied up and forced from his home at 1018 N. Eighth St. during the early morning hours of July 6.

The next morning, an acquaintance reported him as missing.

Within hours, police had three people who were staying at Gibson's apartment in custody: Williams, 25, and Carolann R. Clear and Darren J. Englert, both 20.

Gibson's body was found shortly after midnight July 8, buried in a shallow grave near U.S. 231 and County Road 500 North, outside Montmorenci.

All three suspects are charged with murder; conspiracy to commit murder; criminal confinement; conspiracy to commit criminal confinement; battery; and conspiracy to commit battery.

They also face charges of fraud and theft, based on allegations that they tried to use Gibson's state-issued Hoosier Works food stamps card and Huntington Bank ATM card after the killing.

On Aug. 26, the prosecutor's office filed an additional habitual offender enhancement against Williams, who was just released from prison this March. He has numerous prior felony convictions in Tippecanoe County.

That's when the possible DOC error was discovered, Prosecutor Pat Harrington said Friday.

"The time did not add up in our minds," he said.

The prosecutor's office contacted the Indiana Parole Board, then the DOC. A conference call with three DOC officials took place on Thursday -- during which, Harrington said, the DOC admitted that Williams should still be in prison. His actual release date was not until July or August 2012.

#### The mistake

Following is a summary of how the mistake took place, based on court documents and information from the DOC and Harrington:

In November 2007, a Tippecanoe Superior Court 1 jury found Williams guilty of robbery, criminal confinement and theft for the mugging of a Purdue University student. He was sentenced Jan. 11, 2008, to seven years in prison.

On Feb. 25, 2008, Williams was sentenced to an additional three years in prison for battery on law enforcement and intimidation.

Those sentences were meant to be served consecutively, and an amended sentencing order was sent to the DOC.

Williams' sentence was changed again on April 19, 2010, after the Indiana Court of Appeals determined that his sentences for robbery and criminal confinement amounted to double jeopardy.

The confinement conviction was tossed, and another amended sentencing order was faxed to the DOC on May 11, 2010 -- making Williams' total sentence 10 years in prison.

However, the DOC miscalculated how much total time Williams should serve.

Harrington said the error cannot have any bearing on the murder case. But he said he was obligated to contact Gibson's family, who questioned from the get-go why Williams was not still in prison.

On Friday afternoon, Harrington, Lafayette police Capt. Bruce Biggs, a victim advocate in the prosecutor's office and a counselor met with Gibson's mother, stepfather, sister and stepsisters.

The family was visibly upset afterward.

Harrington said he has never personally heard of or dealt with this situation before. He advised Gibson's family to contact Gov. Mitch Daniels' office and local legislators.

"This family is entitled to those answers," Harrington said.

Gibson's family also plans to contact an attorney to help ensure this error does not happen again.

"Justice for Jeremy is not just justice for Jeremy," said his stepsister, Jessica Warbritton. "It's justice for anybody he can help save. Unfortunately his tragedy happened, but if we can help save someone else ... that is what the family wants."

Jessica Warbritton is a Journal & Courier employee.

-- Contributing: Amanda Hamon/ahamon@jconline.com

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**September 2, 2011: Lafayette Journal and Courier**

## **Local man found guilty on meth cooking counts**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Andrew J. "Drew" Humphreys of Lafayette faces time in prison after being found guilty Friday of helping two other men cook methamphetamine at a rural Battle Ground home.

Humphreys, 33, was one of three people arrested based on what police described as an active meth lab found at 7533 Harrison Road on Dec. 11, 2009.

Following four days of testimony, a Tippecanoe Superior Court 1 jury found Humphreys guilty of conspiracy to manufacture methamphetamine, a Class B felony; dealing methamphetamine, a Class B felony; and information of an illegal drug, a Class D felony.

They found him not guilty of two additional counts of information of an illegal drug lab.

Humphreys then waived his right to have the jury decide whether he's guilty of being a habitual offender,

Prosecutor Pat Harrington said. Instead, Judge Randy Williams will decide that next week or later.

At issue for the jury was whether Humphreys, who was caught on surveillance video buying boxes of pseudoephedrine from numerous pharmacies, took part in the actual production of the highly addictive drug.

Pseudoephedrine -- found in over-the-counter cold medication -- is a common ingredient needed to make meth. Indiana law requires people to show identification and sign pharmacy logs when purchasing drugs that contain pseudoephedrine, which is how Humphreys was identified.

Police trailed Humphreys and his co-defendant, Adam R. Williams, to the Battle Ground property of Leslie A. Mantle.

Mantle is the third co-defendant. Humphreys attorney, Matt Sandy, conceded to the pseudoephedrine purchases but argued that the police investigation was flawed. Sandy further claimed that police the items police found -- a tank of ammonia, batteries and coffee filters, among others -- were common household products.

However, Indiana State Police Trooper Brock Russell testified that he believed the tank contained anhydrous ammonia, which can be used to cook meth. Regular ammonia cannot, he said.

Williams was convicted last October of manufacturing meth, dealing meth and two counts of having an illegal drug lab. He was sentenced in January to 22 years in prison.

Mantle is slated to stand trial next month.

**September 2, 2011: WLFI TV**

## **Alleged murderer released before time**

TIPPECANOE COUNTY, Ind. (WLFI) - Tippecanoe County Prosecutor Pat Harrington announced Antonio Williams, Jeremy Gibson's alleged murderer, should have been in prison when the crime was committed.

Williams was released in March, four months before Gibson was murdered, and over a year before he was supposed to be released.

Harrington said Williams was scheduled to be released in August 2012, but was let out of the Plainfield Correctional Facility early by mistake.

Doug Garrison, Chief Communications Officer for the Indiana Department of Correction, said it was a miscalculation of sentencings and how much time Williams was supposed to serve that caused Williams to be released early.

Garrison also said in recent years, this same mistake has happened only two or three times.

We'll have a live report on NewsChannel 18 at 5 p.m. with more information.

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**September 1, 2011: Lafayette Journal and Courier**

## **2nd man convicted in robbery receives 15-year sentence**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Otoniel Muro-Esparza, 21, was sentenced Monday to 15 years in prison for his role in a convenience store robbery in Lafayette, during which one of the bandits brandished a knife.

No one was injured in the robbery, and Muro-Esparza is the second person convicted of the heist.

He pleaded guilty earlier this month in Tippecanoe Circuit Court to conspiracy to commit robbery, robbery and theft.

Tippecanoe County Prosecutor Pat Harrington said Muro-Esparza is a Mexican national. U.S. Immigration and Customs Enforcement has placed a hold on him, meaning he'll likely be deported after completing his sentence.

Muro-Esparza was one of three people charged in a July 17, 2010, robbery at Village Pantry, 5150 Brady Lane, Lafayette.

He and 27-year-old Brandon Harris of Lafayette were accused of demanding money from the safe. Because the safe could not be opened, they instead took cash from the register, lottery tickets and tobacco products, according to court documents.

A third man, 22-year-old Michael J. Gosnell of Lafayette, was later charged with trying to cash some of the stolen lottery tickets. He pleaded guilty and is awaiting sentencing.

Harris also pleaded guilty this month to robbery with a deadly weapon and being a habitual offender. He was sentenced to 30 years in prison.

Harrington said the co-defendants are jointly responsible for paying \$784.24 in restitution.

**September 1, 2011: Lafayette Journal and Courier**

## **2 area women facing welfare fraud charges**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Investigations by the Family and Social Services Administration into suspected welfare fraud have led to criminal charges in Tippecanoe County against two women.

Both Katrina M. Pomart, 43, of Darlington and Tiwana T. Nunn, 31, of West Lafayette are accused of not disclosing to welfare officials the names of all people in their households.

In order to qualify for the Supplemental Nutritional Assistance Program -- more commonly called food stamps -- and Temporary Assistance for Needy Families, the incomes of everyone in a household must be considered.

Warrants for Pomart and Nunn were issued Tuesday. The cases against them are not related.

Phone numbers could not be found Wednesday to reach them for comment.

According to a probable cause affidavit, Pomart received \$26,684 in unauthorized public assistance between November 2005 and June 2011. She's accused of not telling officials that her husband had returned from out of the country and was again living with her.

The husband, upon his return, was employed at Purdue University.

Although they later divorced, Pomart is further accused of not reporting that a boyfriend moved in. She is charged with welfare fraud and two counts of theft, all felonies.

According to a probable cause affidavit filed with the charges against Nunn, she received \$14,253 in unauthorized public assistance between January 2007 and August 2011.

In addition to Supplemental Nutritional Assistance Program and Temporary Assistance for Needy Families, Nunn

received money from the Child Care Development Fund.

She's accused of not reporting that her boyfriend, who was employed, lived with her.

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**August 31, 2011: WLFI TV**

## **Homeless man charged for meth Man yelled he needed to "get off the dope"**

LAFAYETTE, Ind. (WLFI) - A homeless man from Lafayette faces criminal charges, including four felonies, for allegedly stealing tools from an Office Depot while he was on meth.

37-year-old Samuel Jude Clark was charged today in Tippecanoe Superior Two with six charges, including Possession of Methamphetamine with a Firearm, Theft, and Serious Violent Felon in possession of a Firearm.

According to court documents, police were called to the Office Depot store on Creasy Lane around 5:30 a.m. Thursday, after an alarm was triggered.

Officers found Clark in his truck behind the building. When police ordered him out of the car, an officer heard Clark yell something about how he needed to "get off the dope," according to a probable cause affidavit.

Clark eventually came out of his truck, and police found he had a semi-automatic handgun in the vehicle. They also found some tools and an air conditioner coil, which appeared to have been stolen from the roof of the Office Depot. Police said there was also a tote in the truck with a manual for making methamphetamine.

According to court documents, Clark has a criminal history that includes convictions for Residential Burglary, Escape, Possession of Methamphetamine, and Auto Theft, among others.

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**August 30, 2011: Lafayette Journal and Courier**

## **Bond revoked for Lafayette man charged in West Lafayette assaults**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Another arrest warrant has been issued for a Lafayette man charged in a bizarre incident last spring in which two friends reported being abducted and sexually assaulted by a man they assumed was a taxi driver.

The suspect, Jacob I. Stidham, 31, was charged earlier this month in Tippecanoe Circuit Court with felony counts of criminal confinement, sexual battery and attempted criminal deviate conduct after DNA evidence linked him to the crime.

He was released from the Tippecanoe County Jail on Aug. 15 after posting \$17,500 surety and \$1,750 cash bonds.

The Tippecanoe County prosecutor's office sought to revoke Stidham's bond following a traffic stop Thursday night outside the Neon Cactus in the West Lafayette Levee.

Judge Don Daniel of Tippecanoe Circuit Court approved that request during a hearing this morning. Stidham did not show up for the hearing.

West Lafayette police Chief Jason Dombkowski, who testified for the state, said investigators fear that Stidham



was "trolling" the parking lot on Thursday night for potential victims.

Thursday nights are among the busiest at Neon Cactus because of cheap drink specials that typically attract students from Purdue University.

"That's his M.O., his mode of operation. That's what he did last school year in the Village area," Dombkowski said.

Stidham allegedly admitted to an officer that he had not been patronizing any businesses in the Levee beforehand, Dombkowski said.

The charges against him stem from incidents that began with a 911 call from one of the victims at 4:02 a.m. March 6.

Following is a summary of what investigators suspect took place, according to the probable cause affidavit:

Two women got into a vehicle outside Chauncey Village that morning with a man who claimed he was their ride. They thought he was a taxi driver. After providing a Lafayette address, one victim got into the front seat, and the second woman got into the back seat.

Shortly after getting into the vehicle, the woman in the back seat fell asleep.

The woman in the passenger seat became worried when the driver started going in the wrong direction. That's when the driver allegedly exposed himself and tried to force the woman to perform a sexual act.

She then threatened to call 911 and, while she was on the phone with a sheriff's dispatcher, the driver stopped at a dead end near Old Romney Road. The woman told investigators that he unbuckled her seat belt, opened the front passenger door and physically shoved her out.

He then drove away with the other woman still in the back seat. The first woman went to a nearby home for help.

About two hours later, the second woman was found near U.S. 231 and Indiana 25. The woman could not recall what took place but told investigators that her bra became unclipped at some point.

She was taken to St. Elizabeth Central hospital, where a sexual assault nurse found the DNA that led to Stidham's arrest.

The woman also reported that she was missing her jacket, purse and camera.

Investigators got a warrant on June 21 to search Stidham's former West Lafayette apartment. There they found a digital camera that contained photos taken by one of victims while at bars in Chauncey Village on March 6.

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**August 26, 2011: Lafayette Journal and Courier**

## **Suspects in beating death face additional charges**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

After burying Jeremy K. Gibson in a shallow grave in rural Tippecanoe County, the people suspected in his July 6 bludgeoning death then tried to use his food stamps and debit cards, according to new charges filed today.

The suspects, who remain jailed in Tippecanoe County, were originally charged July 13 with murder and conspiracy to commit murder. They are Carolann R. Clear and Darren J. Englert, both 20, and Antonio O.J. Williams, 25.

Investigators believe that Gibson, 26, was killed with a pickax or shovel, then buried. His body was found two days later, and evidence indicated that acid was poured on the body to conceal his identity.

On Friday, the Tippecanoe County prosecutor's office filed several more charges against Clear, Englert and Williams, connected to Gibson's death. Following is a summary based on court documents in the new charges:

- All three were charged with criminal confinement, conspiracy to commit criminal confinement, battery and conspiracy to commit battery.

That's based on allegations that they bound Gibson's arms and legs and forced him into the shower at his apartment at 1018 N. Eighth St., north of downtown, the day he died.

They're further accused of forcing Gibson into a vehicle and restraining him by placing a belt around his neck, then driving to an area near U.S. 231 North and County Road 500 North.

Investigators believe that is where Gibson was fatally beaten.

- Englert and Clear were charged with conspiracy to commit fraud and three counts of fraud. They're accused of using Gibson's state-issued Hoosier Works card to buy goods at Village Pantry, 601 Union St.

Detective Mike Humphrey of the Lafayette Police Department said investigators suspect this took place after Gibson was killed.

- Williams alone is charged with theft; fraud on a financial institution; attempted theft; and being a habitual offender.

He's accused of stealing drain cleaner from a local Ace Hardware. That's the acid police believe was poured on Gibson's body.

The fraud charge stems from allegations that Williams tried to use Gibson's Huntington Bank-issued ATM card. But those transactions were declined.

This, too, is believed to have occurred after Gibson's death, Humphrey said.

The habitual offender charge is a sentencing enhancement that prosecutors in Indiana can file if a suspect has two prior felony convictions. Williams has prior convictions in Tippecanoe County for robbery, theft, intimidation and battery on law enforcement.

- Englert alone was charged with possession of marijuana.

Prosecutor Pat Harrington said Friday that the case is ongoing and more charges can be filed if new evidence and information is discovered.

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**August 25, 2011: WLFI TV**

## **Men charged for alleged church break-in**

LAFAYETTE, Ind. (WLFI) - Three men face felony charges for allegedly breaking into a Lafayette church and stealing electronic equipment.

20-year-old Kyle Eugene Howard, 20-year-old Justin Morinskey and 19-year-old Scott Alan Young, Jr. have each been charged with one count of burglary and two counts of theft.

According to court documents, police were called to the Elmwood Church of Christ on July 28, for a report of a

break-in.

The documents said Young, Morinskey and Howard admitted to police they broke into the church and stole a laptop computer, two projectors, and other electronics.

**August 25, 2011: Lafayette Journal and Courier**

## **Suspect in federal porn case charged locally with molestation**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A rural West Lafayette man now faces both local and federal charges on allegations that he made videos and took photos of himself engaged in sexual acts with a young girl.

Christopher D. Bunch, 53, was charged Tuesday in Tippecanoe Superior Court 2 with five counts of child molesting as a Class A felony -- the most serious degree in Indiana for that charge.

Court documents allege that videos and photos were made or shot between March 2009 and June 2010. The girl was between the ages of 7 and 9 during that time.

Bunch was charged Aug. 18 in U.S. District Court for the Northern District of Indiana with 10 counts of production of child pornography, based on allegations involving the same victim and another 12-year-old girl.

He is being held without bond in federal court.

Bunch was originally arrested July 27 after one of his roommates found images of suspected child pornography on a digital camera and called the Tippecanoe County Sheriff's Office.

The roommate had been cleaning Bunch's room.

According to a probable cause affidavit, photos on the camera showed a girl who appeared between the ages of 5 and 7 performing various sexual acts or in stages of undressing.

The roommates identified the victim as the daughter of a woman who used to live with Bunch.

Additional photos and videos were found after investigators seized hard drives, memory cards and computer towers. Investigators suspect that man, whose face is visible in one of the videos, was Bunch.

Bunch was interviewed by sheriff's detectives on July 27, during which time he allegedly wrote apology letters to this victim and the other 12-year-old girl.

**August 25, 2011: Lafayette Journal and Courier**

## **Drunken dad convicted after leaving infant in car**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man faces time in prison after being found guilty of leaving his 12-day-old son outside in below-freezing temperatures while he was inside, intoxicated.

The Tippecanoe Superior Court 2 jury took just 35 minutes on Tuesday night to find 29-year-old Robert Tiller III guilty of neglect of a dependent, a Class D felony, said Chief Deputy Prosecutor Kristen McVey.

A judge will determine at a later date whether Tiller qualifies as a habitual offender, which is a sentencing enhancement.

The charges against Tiller stemmed from a separate disturbance call the night of Dec. 28 at the Pheasant Run apartment complex off Brady Lane.

According to McVey, a Lafayette police officer had been at the apartment complex for 45 minutes and was getting ready to leave when he spotted a vehicle in the parking lot with the engine running.

An infant was in a car seat alone, and the vehicle's doors were unlocked. McVey said it was 22 degrees outside at the time.

She said that neither Tiller nor a second man at the apartment, named only as "Mario," mentioned the baby when speaking with the officer on the disturbance call.

Tiller was arrested that night and had to be taken to a Lafayette hospital because he was so heavily intoxicated that the Tippecanoe County Jail would not accept him without medical clearance, McVey said.

At the time, the boy's mother -- who was called to the scene -- told investigators that she did not know Tiller was intoxicated when he left with the baby.

The mother did not show up for Tuesday's trial.

McVey said Tiller testified that "Mario" was supposed to be watching the infant that evening. "Mario" did not show up for Tuesday's trial.

Tiller faces six months to three years in prison for the neglect count. If he's convicted of being a habitual offender, that could add another four years and six months to his sentence.

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**August 18, 2011: Lafayette Journal and Courier**

## **12 years later, man admits molesting kids**

A Buck Creek man who claimed three weeks ago that he was innocent of charges alleging he had sexual contact with two children 12 years ago has now admitted to the charges.

Chad E. Stewart, 29, pleaded guilty Thursday in Tippecanoe Circuit Court to two counts of child molesting, a Class B felony. He faces between four and 16 years in prison when he's sentenced Sept. 30 by Judge Don Daniel.

Stewart was charged a year ago with eight counts of child molesting based on an investigation by the Lafayette Police Department that began in August 2009.

According to a probable cause affidavit, that month police were contacted by the Indiana Department of Child Services after a therapist who treated one of the victims reported the allegations.

The victims, who are brother and sister, told investigators that the sexual acts occurred when they were younger -- sometime between May and December 1999. They were between the ages of 5 and 9.

The siblings told investigators they were forced to perform sexual acts by a former teenage neighbor who was their baby sitter's brother. That led police to Stewart.

Stewart's attorney, deputy public defender Michael Trueblood, and the prosecutor's office reached a plea agreement on Aug. 5 -- the same day that Daniel reversed a prior order dismissing all the charges.

That July 29 ruling was based on a motion to dismiss filed by Trueblood, arguing that the charges fell under a five-year statute of limitations in Indiana and could not be prosecuted.

Daniel then corrected his ruling, based on an Indiana law that extends the statute of limitations for some sex crimes until the accuser is 31 years old.

Stewart had penned a letter to Daniel -- filed on Aug. 2 -- that asserted his innocence: "I am not I repeat I am not a child molester ..."

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**August 17, 2011:** Lafayette Journal and Courier

### **Ex-real estate broker opts for bench trial**



By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former Lafayette real estate broker is opting to have a judge, rather than a jury, determine whether she's guilty of forging client signatures to qualify for tax breaks on properties.

Brenda K. Hatfield, 42, is charged in Tippecanoe Circuit Court with corrupt business influence and 12 counts of forgery. All 13 counts are felonies.

Hatfield had been slated to stand trial before a jury beginning Tuesday. She's now scheduled for a bench trial before Circuit Court Judge Don Daniel on Oct. 12.

The charges against her stem from an investigation that began in March 2010 after some of Hatfield's tenants saw their names listed in the Journal & Courier under property sales. The information, which indicated they had purchased rental properties where they were residing, was news to them.

The J&C publishes property sales, gathered from sales disclosure forms filed with the Tippecanoe County assessor's office, every Sunday.

According to court documents, Hatfield told investigators an accountant informed her that she could get tax exemptions by putting some of her properties under land contract.

She reportedly planned to meet with tenants in November 2009 to get the necessary signatures.

But, one day before a Jan. 5, 2010, deadline to get those signatures, Hatfield instead had her assistants sign the documents, court documents allege.

According to sales disclosure forms obtained by the J&C, some of the properties were listed as sold more than once, to different buyers.

Dual investigations by the Tippecanoe County Sheriff's Office and the Lafayette Police Department were prompted by then-Assessor Samantha Steele, after potential victims contacted her office.

At the time, Hatfield was an independent contractor with Coldwell Banker Shook in Lafayette. That relationship

has since been terminated, the company's president previously told the J&C.

According to the Indiana Real Estate Commission's online license search, Hatfield's principal broker's real estate license expired June 30. The license status is listed as "emergency suspension."

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**August 16, 2011: Lafayette Journal and Courier**

## **2 charged months after chase, meth allegations**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Two people have been charged with dealing methamphetamine and numerous other felonies, based on a traffic stop in rural Tippecanoe County that took place in January.

Angela C. Boorum, 23, and Richard L. Young, 29, both of Dayton, were charged Monday in Tippecanoe Superior Court 2 with conspiracy to commit dealing meth; possession of meth; and unlawful purchase of pseudoephedrine, among other offenses.

Warrants were issued Monday for their arrest.

Tippecanoe County Prosecutor Pat Harrington said the delay in charges was due to evidence that had to be sent to a state lab for analysis. Investigators also had to check logs from numerous stores for allegations of "smurfing," he said.

Smurfing is a term used to describe the practice of going store-to-store to buy small amounts of pseudoephedrine - an ingredient commonly used in over-the-counter decongestants - to gather enough to cook meth.

Indiana law prohibits people from buying more than 3.6 grams of medication containing pseudoephedrine or ephedrine per day and up to 9 grams every day. Buyers have to show state-issued identification and sign a log.

According to a probable cause affidavit, Boorum was the driver of a vehicle that an Indiana State Police trooper attempted to stop the morning of Jan. 22 near County Roads 550 East and 150 South.

The trooper was initially suspicious because the vehicle was going at a slow speed and had all its windows down, despite the cold weather.

This resulted in a brief police pursuit.

Boorum and Young are accused of tossing a red thermos out of the vehicle that contained an active meth lab and a plastic bag that contained lithium batteries and foil.

A search of the vehicle also turned up four boxes of pseudoephedrine, drain cleaner and latex gloves.

Police then searched Boorum and Young's home, which turned up more suspected meth and paraphernalia hidden in speaker boxes, smoke detectors and other locations.

**August 16, 2011: Lafayette Journal and Courier**

## **Teen gets 13 years in string of robberies Partner, shot by police, sentenced earlier**



By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette teenager has been sentenced to 13 years in prison for his role in a string of robberies and beatings near downtown in September 2009 that ended with a police-action shooting.

Antwon L. Milsap, 19, pleaded guilty last month in Tippecanoe Superior Court 1 to robbery resulting in bodily injury, a Class B felony. Additional charges of theft and battery were dropped under a plea agreement with the prosecutor's office.

During his sentencing hearing Monday, Milsap said spending the past two years with repeat adult offenders in Tippecanoe County Jail - awaiting trial in this case - finally helped him understand the consequences of his actions.

"First of all, I just want to apologize to the court for the situation I'm in. I want to apologize to the victims ...," Milsap said. "This was a crime I committed when I was 17 years old. It was just a mistake.

"Being incarcerated, I've had nothing to think about but my mistake. I don't want this to be my life."

The charges against him stemmed from three muggings that took place during a roughly 24-hour period: two strong-arm robberies on Sept. 16, 2009, in Lafayette and West Lafayette, and an attempted armed robbery on Sept. 17, 2009, in West Lafayette.

Milsap and his co-defendant, Brandon M. "Bookie" Winters, randomly chose the victims, who were knocked down, punched and chased. Cellphones, wallets and laptops were among the valuables taken.

Winters was shot in the face outside Wabash Landing apartments by a West Lafayette police officer who responded to the third victim's 911 call.

Milsap said he and Winters had been under the influence of alcohol - vodka brought by a female friend - at the time of the robberies.

The teenager's family members and friends packed into the courtroom's gallery for his sentencing hearing. Among the people who testified were Milsap's mother, Nannette Moss of West Lafayette and a CityBus employee, and Rashad Richardson, a Jefferson High School basketball teammate.

Richardson, who's been friends with Milsap since eighth grade, said Milsap began associating with a bad crowd because "they showed him love."

"We're all faced with decisions. The decisions he made were mistakes," Richardson said.

Added Moss: "I want him to prove himself to Lafayette and especially (Deputy Prosecutor John) Schafer. He's not a bad person. He's not just what's on the paperwork."

Milsap was one of five teenagers charged in a December 2006 armed robbery at Igloo Frozen Custard on Lafayette's south end. He admitted Monday to not learning a lesson following that crime, despite spending time in

a juvenile Indiana Department of Correction facility.

His court-appointed attorney, Robert Little, said that was because Milsap spent that time thinking, "I'm getting out soon. I'm getting out."

Superior Court 1 Judge Randy Williams cited the Igloo robbery as an aggravating factor in determining Milsap's sentence. Williams noted that Milsap was provided numerous services through Tippecanoe Superior Court 3, the county's juvenile court.

"A 'childish mistake' is not what happened here," Williams said. "You made a decision, a conscious decision, to put yourself in this situation, and you must suffer the consequences.

"... What if it was you who had taken the bullet that night?"

Milsap's prison time will be followed by one year on community corrections - some combination of home detention, work release and day reporting - and two years on supervised probation. He was given a combined 1,396 days credit for time already served in jail and for good behavior.

Winters pleaded guilty to similar charges and was sentenced in January to 20 years in prison and 10 years on probation.

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**August 15, 2011: Lafayette Journal and Courier**

## **Hit-and-run suspect charged with State Street crash**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Formal charges have been filed against a Lafayette man accused of hitting a pedestrian with his vehicle last month near Triple XXX restaurant and leaving the scene.

Henry Bazan, 27, was charged in Tippecanoe Superior Court 6 with one count of failure to stop after an accident that resulted in serious bodily injury, a Class D felony.

Bazan claimed that he "freaked out" and did not stop, court documents allege.

The charge stems from a crash that occurred about 3:20 a.m. on July 9, near East State and Littleton streets in West Lafayette, east of the Purdue University campus.

The victim, 21-year-old Courtney Limon, and two friends were walking south and crossing State Street when Limon was hit by a small, four-door vehicle heading east.

Limon suffered broken bones to her right arm and ankle, along with scrapes on her hands and face.

Here's how Bazan became a suspect, according to police reports filed with the criminal charge:

West Lafayette officers responding to the hit-and-run found a driver's side mirror from a red vehicle that matched witness descriptions of the vehicle that struck Limon.

A sticker on the inside of the mirror indicated that it was made in 2000. The mirror also had a small Volkswagen logo and a part number. Online searches showed that the part number fit Volkswagen Jettas made in 1999 to 2006.

Sgt. Kevin Flynn then checked the county's shared police database and found seven vehicles matching that description, including Bazan's red 2001 Jetta. Flynn and other officers went to Bazan's address, but neither he nor



the vehicle was there.

Bazan then called West Lafayette police later on July 9 to turn himself in.

During an interview with Sgt. Jason Philhower, Bazan admitted that he had been at Chauncey Hill Mall that early morning. As he was leaving - headed east down the State Street hill - he noticed three people in the road.

Bazan said he then changed from the left lane to the right lane to avoid hitting them. That's when one of them - Limon - ran in front of him.

Bazan claimed that he could not stop, then "freaked out" and fled.

Limon's friends told investigators that Limon was about 10 feet in front of them and that she ran to try and avoid getting hit. They further said it appeared as though the car sped up to get past them before they could cross the street.

Limon did not remember what took place, but she admitted to having consumed alcoholic beverages beforehand. That section of East State Street does not have a crosswalk.

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**August 12, 2011: Lafayette Journal and Courier**

## **Lafayette man accused of posing as taxi driver near Purdue, assaulting women**



By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

DNA evidence has linked a Lafayette man to a bizarre incident in which two women believed they had gotten into a taxi at Chauncey Village, then were confined in a vehicle and sexually assaulted.

Jacob I. Stidham, 31, was charged Wednesday in Tippecanoe Circuit Court with felony counts of criminal confinement, sexual battery, receiving stolen property and attempted criminal deviate conduct.

He also was charged with misdemeanor counts of public indecency, battery and operating a vehicle while intoxicated.

Tippecanoe County Sheriff Tracy Brown said Stidham was arrested Thursday night at a Lafayette restaurant, where he stopped after leaving work.

The charges against him were unsealed today.

Brown said investigators learned on June 6 that DNA swabs from a sexual assault kit completed from one of the victims came back as a match to Stidham.

His DNA was in the FBI's Combined DNA Index System database following an arrest for a sex offense in California, Brown said.

The charges stem from incidents that occurred in March and April.

"We're pleased that he has been arrested, but the investigation is still active and ongoing," Brown said. "We do have concern that there may be other victims out there."

For more on this story, read Saturday's Journal & Courier.

**August 12, 2011: WLFI TV**

## **Laf. man charged for sexual battery**

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces 12 criminal charges for allegedly trying to have sexual contact with women in his car against their will.

31-year-old Jacob Ivan Stidham was charged today in Tippecanoe Circuit Court.

His charges include three felony counts of criminal confinement, and felony charges for sexual battery, receiving stolen property, operating while intoxicated and attempted criminal deviate conduct.

According to court documents, Stidham picked up two women from the Chauncey Hill mall in West Lafayette in March 2011, and told them he was their ride.

The documents say Stidham exposed himself to one of the women and asked her to perform sexual acts on him. The other woman was asleep in the back seat, but later told police some of her things were missing and she believed she had been sexually assaulted.

In April 2011, two other women received a ride from Stidham, and one of the women reported being sexually assaulted by him. When she asked to be let out of his truck, Stidham refused.

One of the victims reported that Stidham was intoxicated at the time.

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**August 11, 2011: Lafayette Journal and Courier**

## **No state prison for boy who burned TSC buses**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette boy will spend a maximum 22 more days in secure detention, followed by several months at Cary Home for Children, for intentionally starting a fire this June that destroyed four Tippecanoe School Corp. buses.

That was the sentence Judge Loretta Rush of Tippecanoe Superior Court 3, the county's juvenile court, handed down Wednesday to the 15-year-old, who sat quietly next to his attorney with his head bowed down.

The boy, who pleaded guilty last month to one count of arson, a Class B felony, and three counts of criminal mischief, a Class C felony, will further remain under Superior Court 3's jurisdiction until he turns 21.

"He doesn't seem to understand the severity of what he did," Rush told the boy's mother.

The Journal & Courier is not naming him because he was not tried as an adult.

The boy did not testify or provide a statement during Wednesday's final disposition hearing. But he admitted

during a fact-finding hearing on July 5 to pouring charcoal lighter fluid onto the front seat of a school bus that was parked at Wea Ridge Elementary School overnight on June 3.

Flames quickly spread to three nearby buses, causing about \$425,000 in damage. No one was injured.

The boy testified on July 5 that he was accompanied by a friend, a 14-year-old boy, whose idea it was to sneak outside. They then walked from their homes in the Benjamin Crossing neighborhood to nearby Wea Ridge Elementary School.

His friend has not been charged and likely will not be charged. The reason? The 15-year-old has continued to lie and waver on what exactly took place, Deputy Prosecutor Chuck Hagen told Rush.

"We're dealing with more than just an arson here," Hagen said, referring to the boy's alleged deception.

Both Rush and Hagen quoted from the boy's pre-disposition report -- similar to a pre-sentence report for adult defendants -- that included statements he made to a juvenile probation officer after the July 5 hearing.

Among those statements: "Sure I screwed up. I bet you've done bad things too but haven't been caught," Hagen read from the report.

Rush said the boy tried to minimize his responsibility. For instance, the judge noted, the 15-year-old later claimed that his friend brought the items used to start the fire -- despite acknowledging before that the charcoal starter fluid came from his mother's backyard.

Hagen said the boy also admitted to juvenile probation that they used an iPod to record video of the burning buses as they ran from the scene. The actual footage, however, was not uncovered.

"They turned and memorialized it," Hagen said. "He's upset with the school because they held him accountable for his actions."

Hagen had argued for a sentence at the Department of Correction on grounds that it best fit the severity of the crime and would help send a message.

Rush, however, said she was wary of that option because at the boy's age -- he was 14 years old when the crime was committed -- the DOC has "indeterminate" sentences only, and the boy could be released in a couple months.

"Cary Home will provide more monitoring than the Department of Correction," Rush said.

At Cary Home, the boy will serve no less than three to four months. His actual time there will be several months, depending on how long it takes to complete the required services, juvenile probation officer Kelly Ryan testified.

Ryan said the boy, who would be going into eighth grade this year at Wea Ridge Middle School, had recently been suspended for stealing items from other students and said he "hated the school."

He further admitted to liking "the colors" after setting things on fire, Ryan said.

If the boy fails to comply at Cary Home -- his treatment will include behavior modification -- then he'll be sent to the DOC, Rush said.

Ninety days is the maximum that a juvenile can spend in secure detention. The boy has already been in secure detention for 68 days.

"Given your age and what you did, you deserve a harsher punishment as a consequence," Rush said. She called his sentence "the most comprehensive, structural and rehabilitative" punishment available through her court.

He'll continue to be treated for mental health issues at Alpine Clinic. The boy's attorney, Tim Brody, said the teenager suffers from posttraumatic stress disorder -- caused by abuse committed by someone outside his family -

- and attention deficit disorder.

He's been in special education courses for all of his schooling, and the boy had no prior contact with police or the juvenile justice system before, Broden said.

Rush on Wednesday also ordered the boy's mother to enroll in an English as a second language course, in addition to parenting classes she previously required.

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**August 10, 2011: Lafayette Journal and Courier**

## **Teen ordered to secure detention, Cary Home for TSC bus fires**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A 15-year-old Lafayette boy will spend 22 more days in secure detention, followed by placement at Cary Home for Children, for intentionally starting a fire that destroyed four Tippecanoe School Corp. buses in June.

He'll also remain under the jurisdiction of Tippecanoe Superior Court 3, the county's juvenile court, until he turns 21.

If the boy fails to comply with services at Cary Home - where he'll stay for a minimum of three to four months - he will be sent to the Indiana Department of Correction.

He'll stay at Cary Home for as long as needed to complete behavior modification and other services ordered. That's expected to take several months, according to testimony from juvenile probation officer Kelly Ryan.

Judge Loretta Rush called it "the most comprehensive, structural and rehabilitative" punishment available through her court.

"Cary Home will provide more monitoring than the Department of Correction," Rush said.

The Journal & Courier is not naming the boy because he is not being tried as an adult.

The boy pleaded guilty in July to one count of arson, a Class B felony, and four counts of criminal mischief, a Class C felony. He admitted to pouring charcoal lighter fluid onto the front seat of a school bus parked at Wea Ridge Elementary School overnight on June 3.

The flames quickly spread to three nearby buses, causing about \$425,000 in damage.

Ryan testified that the boy, who would be going into eighth grade this year at Wea Ridge Middle School, had gotten into trouble at school - before the arson - and was suspended for stealing items from other students.

"He said he hated the school," Ryan testified.

Ninety days is the maximum that a juvenile can spend in secure detention. The boy has already been in secure detention for 68 days.

For more on this story, read Thursday's

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**August 9, 2011: WLFI TV**

## **Man gets 18 years on drug charge**

## **Sold crack cocaine to police**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man will spend the next several years in prison for dealing crack cocaine.

According to Tippecanoe County Prosecutor Pat Harrington, 44-year-old Brian D. Riley was sentenced Tuesday to 18 years in the Department of Corrections, for dealing cocaine and being a habitual substance offender.

Harrington said members of the county's Drug Task Force purchased some crack cocaine from Riley in February. He was later arrested, and police found the cash they used in his home, after obtaining a warrant.

Harrington said when Riley was arrested and escorted from his home, he repeatedly yelled at police that he'd, "be out slinging dope again."

Riley has two prior drug convictions in Tippecanoe County and a prior theft conviction in Lake County

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**August 5, 2011: WLFI TV**

### **Man sentenced to 35 years for drugs James Hughes sold cocaine to police several times**



TIPPECANOE COUNTY, Ind. (WLFI) - A Marion County man was sentenced Thursday to more than three decades in prison on drug charges.

Tippecanoe County Prosecutor Pat Harrington said 31-year-old James E. Hughes was sentenced to 35 years in Superior Court II. Hughes faced two felony charges, possession of cocaine and dealing cocaine.

Harrington said the Tippecanoe County Drug Task Force bought crack cocaine from Hughes several times in November of last year. After the last buy, a warrant was obtained from the prosecutor's office. Officers recovered money from the buys hidden under a mattress.

Harrington said Hughes was on parole at the time.

**August 5, 2011: Lafayette Journal and Courier**

### **'Lone Wolf' charged in suspected molestation**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man is accused of repeatedly having sexual contact with a young girl in his care over a two-year period.

Anastacio Mendez, who also goes by his Indian name, Lone Wolf, is charged in Tippecanoe Superior 2 with one count of child molesting as a Class A felony and four counts of child molesting as a Class C felony.

Allegations of child molestation can vary from intercourse to fondling, with the former being the highest-level charge. An A felony is punishable by 20 to 50 years in prison.

Mendez, 60, was arrested Wednesday night at a Lafayette motel, police records show.

He was being held Thursday in the Tippecanoe County Jail on \$50,000 surety and \$5,000 cash bonds.

The allegations against Mendez came on July 27, when the suspected victim was interviewed at a child advocacy center, Heartford House in Lafayette, for an unrelated investigation by the Tippecanoe County Sheriff's Office.

According to a probable cause affidavit, the 12-year-old told investigators that a man called "Lone Wolf" would sometimes go into her bedroom and make her participate in sexual activity.

The girl described several different scenarios, including one time where she was promised ice cream in exchange.

She estimated that these incidents began when she was in third grade and continued until mid-July of this year.

Detectives interviewed Mendez on July 28, during which he denied ever touching her inappropriately.

Mendez instead claimed that the girl began peeking at him in the shower and that he allowed her to touch him because she was curious.

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**August 3, 2011: Lafayette Journal and Courier**

## **3 charged with murder in connection with Southside Lafayette shooting death**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man was shot and killed last week at a south end apartment as part of a marijuana deal or a handgun sale that turned into a robbery, court documents allege.

Three people - Kevin K. Williams, 22, Michael Anthony Foster, 21, and Dartanyan D. Porche, 23, all of Lafayette - were charged today in Tippecanoe Superior Court 2 with murder in the Thursday night death of Clarence W. Smith Jr., 24.

Foster is believed to be the shooter.

All three suspects also were charged with felony counts of robbery by means of a deadly weapon, resulting in serious bodily injury; conspiracy to commit robbery; theft; and being a serious violent felon in possession of a handgun.

According to a probable cause affidavit filed with the charges, the suspects are accused of arranging a marijuana deal with Smith and asking him to meet at 1840 Summertime Trail, an apartment building located off South 18th Street.

Foster told investigators that it was Porche's idea to rob Smith and that Porche asked him to obtain a gun a day or two prior to the shooting. Foster further claimed that Smith tried to grab for the gun, and he was shot during a struggle.

Both Porche and Foster had gotten out of the vehicle to meet Smith in the apartment foyer.

A 15-year-old juvenile who was in the vehicle with the three suspects also told investigators that he heard a "pomp" then saw Foster and Porche running back to the car. Foster was holding a gun, the teenager said.

For more on this story, check back with [jconline.com](http://jconline.com) and read Thursday's J&C.

**August 3, 2011: Lafayette Journal and Courier**

## **Charges filed in suspected attack, police looking into ties to homicide**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man is accused of attacking two women minutes after they finished speaking with police about being with homicide victim Clarence W. Smith Jr. before he died.

Deandrew Russell, 29, was charged today in Tippecanoe Superior Court 2 with criminal confinement, residential entry and battery. He was being held this afternoon on a \$25,000 surety bond in the Tippecanoe County Jail.

Detective Joe Clyde of the Lafayette Police Department said investigators are trying to determine whether Russell is linked in any way to the suspects in Smith's shooting death - Kevin K. Williams, 22, Michael Anthony Foster, 21, and Dartanyan D. Porche, 23, all of Lafayette.

According to probable cause affidavits, two women drove Smith to 1840 Summertime Trail on Thursday night to meet the suspects for either a marijuana deal or a handgun sale.

After Smith was shot, the two women were interviewed by investigators at LPD headquarters at city hall.

One of the women said a man, believed to be Russell, kicked in her front door minutes after the two women arrived home and said she was going to get "whooped."

The two women were repeatedly punched.

Clyde said investigators are looking into a possible connection to Smith's death.

"We have to consider it because of the timing," he said. "We're checking for a relationship. We do believe they're connected."

**August 3, 2011: WLFI TV**

## **Suspects charged in Laf. man's murder**

LAFAYETTE, Ind. (WLFI) - Court documents are shedding more light on the murder of a Lafayette man last week.

According to documents filed Wednesday, the suspects in the murder had met with 26-year-old Clarence Smith, Jr., for an alleged marijuana deal, but planned to rob him instead. In the process of the robbery, Smith was shot and killed.

21-year-old Michael Anthony Foster II, 22-year-old Dartanyan Porche and 22-year-old Kevin Williams appeared before Tippecanoe County Magistrate Norris Wang Wednesday afternoon. They were each charged with five felonies - murder, robbery, conspiracy to commit robbery, theft and serious violent felon in possession of a firearm.

According to the probable cause affidavit, Smith was at the home of Bianca Sharp on the evening of July 28. Sharp told police that Smith told her he had to go to 1840 Summertime Trail, and she and Jessica Dayhuff took him there. She said Smith went into a hallway in the building, followed by another black male. She heard the sound of a gunshot, and went into the hallway to find Smith on the floor.

The suspects' descriptions of what happened aren't always consistent. According to the affidavit, Porche told police that Foster shot Smith near the front door at 1840 Summertime Trail, then ran out of the building holding the 9 mm handgun.

But in Foster's testimony to police, he said he had obtained a gun for Porche. Foster said Porche had been working on a marijuana deal with Smith, but then Porche said they should rob Smith. Foster told police that Porche pulled the gun on Smith, then Smith went for the gun and was subsequently shot during a struggle.

Williams told police that Porche had told Smith he was going to sell him a gun, but actually intended to rob him. Williams said he was outside the building when Smith entered, and he then heard a gunshot. He said he drove their car a short distance away and then picked up Porche and Foster. Williams told police that Porche was upset with Foster for shooting Smith, and Foster had gotten money from Smith.

An unidentified juvenile was also with the men at the time. He told police that he thought they were going to set up a marijuana deal with Smith, but later heard the suspects talking about robbing someone. The court documents said the juvenile was in the car when Williams picked up Porche and Foster, and Porche was asking Foster why he shot Smith.

At the magistrate hearing Wednesday, Magistrate Norris Wang informed the three suspects of their rights, and of the charges against them.

The suspects said very little during their hearings. However, at one point, when reading the charges, Wang told Williams, "You haven't been found guilty." Williams responded, "Then why am I locked up?"

All three men were appointed public defenders, and all three are being held on no bond.

Wang set the date for a jury trial for all three men on October 25.

**August 3, 2011: WLFI TV**

### **Men charged for burglary, B & E**



**Robinson**



**McCoy**

TIPPECANOE COUNTY, Ind. (WLFI) - Two Tippecanoe County men have been charged with felonies for allegedly breaking into a home and stealing television sets and a rifle.

21-year-old Tyler McCoy and 20-year-old Joshua Lee Robinson were charged today in Tippecanoe Superior Two.

Each face felony charges of burglary, residential entry and theft.

According to court documents, a Tippecanoe County man reported two televisions and an A-R-15 rifle had been stolen from his home.



Some of the stolen goods were later found at the home of Robinson's mother.

**August 3, 2011: Lafayette Journal and Courier**

## **Feds join child porn case**



By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A rural West Lafayette man faces criminal charges in Tippecanoe County and federal court over allegations that he made videos and took photos of himself engaged in sexual acts with a young girl.

Additional photos were found of a second girl.

Christopher D. Bunch, 53, was originally arrested on July 27 on suspicion of child molestation committed by use or threat of deadly force after his roommates found suspected child pornography and called the Tippecanoe County Sheriff's Office.

On Tuesday, he was taken into federal custody by U.S. Marshals and appeared before a judge in U.S. District Court in Hammond, federal court records show.

A probable cause and detention hearing is scheduled for Thursday.

Formal charges have not yet been filed in Tippecanoe County or federal court.

Tippecanoe County Prosecutor Pat Harrington said the case is under review by his office. He confirmed that he does plan to pursue charges against Bunch here.

Following is a summary of what led to Bunch's arrest, according to a criminal complaint filed in federal court:

Sheriff's investigators were called to Woods Edge mobile home park, off Indiana 43 North, after Bunch's roommate found photos depicting suspected child pornography on a camera that belonged to Bunch.

The roommate and others had been cleaning Bunch's room, and they found the camera under his mattress.

Photos on the camera showed a young girl, believed to be between the ages of 5 and 7, engaged in sexual acts with a man whom investigators suspect is Bunch.

Police then got a warrant to search all computers, cameras and electronic media belonging to Bunch.

That resulted in investigators finding numerous images and videos of the same girl in various sexual acts.

The videos and photos were made or shot between March 2009 and June 2010.

Investigators then found additional photos of a second girl, taken this past June.

The federal allegations are being investigated by the U.S. Department of Homeland Security.

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**August 1, 2011: Lafayette Journal and Courier**

## **Shooter gets 15 years for gunfire behind school**



By JUSTIN L. MACK; [jmack@jconline.com](mailto:jmack@jconline.com)

Stacey D. Thomas, 20, pleaded guilty on June 28 to attempted aggravated battery, criminal recklessness, possession of a firearm while having a prior felony conviction and conspiracy to commit burglary. All of the offenses are felonies.

Judge Randy Williams of Tippecanoe Superior Court 1 ordered that Thomas' prison time be followed by five years on supervised probation, and the first year of his sentence will spent on community corrections.

Today, Thomas showed remorse for his actions and offered an apology to the several friends and family members who attended today's sentencing in his support.

"I'd like to apologize for everything that happened. I didn't intend for this to happen," he said. "I understand that what I did was wrong, I regret doing it, and I wish I could take it all back."

The battery, criminal recklessness and firearm possession charges against Thomas stem from gunshots that were fired the night of Dec. 13, 2010, in the parking lot at Earhart Elementary School, 3280 S. Ninth St.

According to court documents, the confrontation leading up to the shooting centered around Thomas and another man who previously dated Thomas' girlfriend. That man also brought a handgun to Earhart for what Thomas called "an arranged fight."

No one was injured, but bullets struck the nearby Bradford Place Apartments off South Ninth Street and went through the driver's side door of a nearby vehicle, landing under a child's car seat.

Thomas, who said today that he fired nine shots that evening, claimed that he fired his weapon after the individual he was supposed to fight pulled out a gun of his own. Thomas claims the other man attempted to fire the weapon in his direction and it jammed.

But Deputy Prosecutor John Schafer said Thomas' story does not coincide with witness statements that indicate the other man never took his handgun out of his vehicle.

Text, Facebook and MySpace message records compiled by Sean Leshney, an investigator with the Tippecanoe County prosecutor's office, also show that Thomas made contact with several witnesses in the hours following the shooting. In the messages, Thomas asked witnesses to inform investigators that the other man also brandished a

gun.

"You say you want to turn your life around ... start today by telling the truth," Schafer said.

The burglary charge stems from a 2008 incident in which Thomas gave other suspects an access code to the Hour Time restaurant where he was working to steal items from the business.

Richard Thomas, Stacey Thomas' father, said he doesn't believe his son had any of intention of hurting anyone the night of the shooting.

"If anybody deserves a chance at life, it's that boy right there. He needs your help and I need your help," he told Judge Williams. "Don't give him all those years ... give him the help he needs."

For Williams, the possibility that an innocent third party could have been struck by one of Stacey Thomas' nine stray bullets was a serious aggravating factor.

"How often do we have to put up with that?" he said. "Twenty-year-olds with guns ... what good can come of it."

Schafer said Thomas would have spent 16 years in jail but was granted a credit of one year for earning his GED last month.

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**July 29, 2011: Lafayette Journal and Courier**

## **Ex-boyfriend gets jail time for stalking**

A Lafayette man must spend 90 days in jail and pay a \$10,000 fine for repeatedly harassing and threatening to harm an ex-girlfriend through phone calls, text messages and other means.

Nicholas W. Sexton, 31, pleaded guilty in May in Tippecanoe Superior Court 2 to stalking, a Class D felony, and two counts of invasion of privacy, a Class A misdemeanor.

He received an 18-month sentence on Thursday from Judge Thomas Busch, with the first 90 days in the Tippecanoe County Jail and the remainder on probation, Prosecutor Pat Harrington said.

The charges stem from incidents that Sexton's ex-girlfriend said began Aug. 3, 2010, the day they ended a two-year relationship. She obtained a protective order on Aug. 7, 2010, that prevented Sexton from contacting her directly and indirectly.

Sexton also was ordered to stay away from her home and employer.

According to court documents, the woman received numerous text messages and voicemails from Sexton -- among them, "no one can stop me so don't put anyone in danger, don't make me snap."

In September, videos of the two engaged in sexual acts were emailed to about 50 employees nationwide at the company where the woman works.

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**July 28, 2011: Lafayette Journal and Courier**

## **Longer prison time message to gangs Gang enhancement added to more charges**

- Nicole Caan

LAFAYETTE, Ind. (WLFI) - Gang members that commit crimes because of their gang affiliation face a longer sentence behind bars.

Adding a gang enhancement to a sentence can be difficult, but it's also becoming more common.

Most recently Rodrigo Medrano and Edwin Rodriguez had a gang enhancement tacked onto their charges. The two robbed two men at gun point in West Lafayette July 22, 2011. Tippecanoe County Prosecutor Pat Harrington said adding the gang enhancement takes more than just showing someone is a gang member.

"We can't charge and prosecute people for being in a gang. We have to show a felony they committed was a result of their gang affiliation or to support the gang," he explained.

The probable cause affidavit for Medrano and Rodriguez states both men admitted to being in the Sur 13 gang. Medrano also has gang-related tattoos. The men who were robbed told police Medrano and Rodriguez said to them "We're 13" before having them empty their pockets. Lafayette Police Sgt. Jay Rosen said officers look for ways to show crimes are gang-related.

"If they don't self admit it, it is difficult. And what we try to look at is different signs they have on them like tattoos," said Rosen.

The men admitting their membership in Sur 13 gave the prosecutor the evidence needed to add the gang enhancement to their charges.

"It makes the penalty a double whatever sentence the judge gives for the original crime. It is the same sentence for the gang enhancement. It's not spendable so they have to serve the entire amount and it has to be served in prison," said Harrington.

That means Medrano and Rodriguez could face another six to 20 years in prison if convicted. Harrington said it's a clear message to gang members.

"They know exactly what the price of doing business in Tippecanoe County," he said. "There is a deterrence to this."

So far, Harrington filed four gang enhancement sentences against adults in Tippecanoe County. It's an addition he thinks he'll continue adding to charges.

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**July 27, 2011: WLFI TV**

### **Armed robbery suspects charged**



Edwin "Corey" Rodriguez



Rodrigo Medrano, Jr

WEST LAFAYETTE, Ind. (WLFI) - Two suspects allegedly involved in the West Lafayette armed robbery that occurred on Friday, July 22 are being formally charged.

Gang charges are being filed against one of the two men arrested.

Police took Rodrigo Medrano and Edwin Rodriguez into custody after they pointed a gun at two men near Wood Street in West Lafayette Friday.

Medrano and Rodriguez took cell phones and wallets from the men. The two men face five felony charges for armed robbery and theft.

But one also faces another, more unusual charge. Court documents reveal Medrano is a known gang member.

The probable cause affidavit shows he admitted to police he is a member of Sur 13 and had related gang tattoos.

Because of this, he could have a gang enhancement added to his sentence.

Prosecutor Pat Harrington said if convicted, it would mean Medrano knowingly committed the crime because of his gang membership. The gang enhancement means he'll face an additional six to 20 years in prison if found guilty.

Harrington said this is one of four gang cases currently being brought to court in Tippecanoe County. He also said Indiana has one of the toughest anti-gang laws in the country.

In addition, Medrano also faces a habitual offender charge. He has two previous felony charges for felony carrying a hand gun and theft.

All together, Medrano faces seven felony charges. Rodriguez faces five.

**July 27, 2011: Lafayette Journal and Courier**

## **Charged in fatal OWI, man will plead guilty**



By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man is scheduled to plead guilty to allegations that he was impaired when he caused a single-vehicle crash that killed his passenger, then ran from the scene.

Bradley J. Siefert, 33, is believed to be the driver of a sport utility vehicle that struck a utility pole on Kossuth Street on April 8. Emergency responders had to cut the passenger side door to remove 39-year-old Kathleen E. Altepeter, who died from her injuries.

Siefert is charged in Tippecanoe Superior Court 2 with four felonies, including leaving the scene of an accident after committing operating while intoxicated causing serious bodily injury; leaving the scene of an accident

involving death; and operating a vehicle while intoxicated causing death.

He's also charged with misdemeanor counts of operating while intoxicated and operating a vehicle with at least 0.15 grams of alcohol.

Siefert's guilty plea hearing before Judge Thomas Busch is scheduled for Aug. 5. Details of any plea agreement Siefert might have signed won't be made public until his guilty plea hearing. He had been scheduled for trial Tuesday.

According to court documents, the crashed SUV belonged to Siefert's parents, who live in the 1100 block of Kossuth Street -- not far from the crash scene. Siefert was found there.

He allegedly denied being the driver, instead claiming to being the passenger and hitting his head on the steering wheel. But his wallet -- with identification card -- was found on top of a console near the driver's seat.

Altepeter was taken to a Lafayette hospital, where she later died in the emergency room, according to a probable cause affidavit.

Siefert was taken to a Lafayette hospital for treatment of his head injury. There, a blood test showed he had a blood-alcohol concentration of 0.22 percent, nearly triple Indiana's legal limit of 0.08 percent.

The blood test also showed that Siefert had some type of controlled substance in his system.

The lead charge against him is a Class B felony, punishable by six to 20 years in prison.

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**July 26, 2011: WLFI TV**

### **Men charged for Lafayette break-in Allegedly climbed balcony and entered window**



- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Two Lafayette men are charged with felonies for allegedly climbing onto an apartment balcony, entering an open window and stealing some of the belongings inside.

28-year-old Preston Hall and 19-year-old Nicholas Wolczak are each charged with burglary and theft. Wolczak faces an additional misdemeanor charge of possession of marijuana, and Hall faces a sentencing enhancement of being a habitual offender.



According to court documents, Wolczak admitted to police that Hall hoisted him up to a second floor balcony of a Lafayette apartment, where he went in an open window and let Hall in through the front door. Police said the men then stole a television, laptop, Playstation and other items.

Hall has several prior convictions, including residential entry, theft, and criminal confinement.

**July 26, 2011: WLFI TV**

### **Woman pleads guilty to forgery Admits guilt on start date of jury trial**



LAFAYETTE, Ind. (WLFI) - A Lafayette woman has admitted guilt in a forgery case, on the day her jury trial was scheduled to begin.

37-year-old Kelley Pike appeared in Tippecanoe Superior Two Tuesday for her jury trial for five felony charges, including two counts of forgery, two counts of fraud and one count of receiving stolen property.

But instead of moving forward with the trial, Pike pleaded guilty to all the charges.

Pike's sentencing hearing is set for October 7th.

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**July 22, 2011: WLFI TV**

### **Women charged for felony shopping spree**



LAFAYETTE, Ind. (WLFI) - Two Indianapolis women are charged with a total of 19 felonies for allegedly going on a shopping spree with fake travelers checks in Lafayette.

Teneesha Johnson and Erica Portis were arrested for using the phony checks at the Tippecanoe Mall in Lafayette.

The pair racked up hundreds of dollars in merchandise, buying things like scented oils, candles and jewelry.

After they were busted at Victoria's Secret, officers say both women gave them fake ID's.

Johnson and Portis have bonded out of jail.

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**July 18, 2011: Lafayette Journal and Courier**

## **Tip leads West Lafayette police to make pot arrest**

An anonymous tip has led to criminal charges against a West Lafayette man on allegations that he was growing marijuana in his apartment.

Douglas E. Rochford, 23, is charged in Tippecanoe Superior Court 1 with felony counts of dealing marijuana, possession of marijuana and maintaining a common nuisance.

He also is charged with possession of paraphernalia, a misdemeanor.

Rochford, who was arrested last Wednesday, was released Thursday from the Tippecanoe County Jail after posting a \$10,000 surety bond, jail officials said.

According to a probable cause affidavit, someone called the WeTip anonymous hotline about a possible marijuana growing operation in the 2600 block of Soldier's Home Road, involving a "Doug Rochford."

WeTip contacted the West Lafayette Police Department on July 10.

Investigators went to the apartment on Wednesday and were let inside by Rochford. They got a warrant to search the apartment after spotting two running fans, a thermometer/humidity gauge, a water bong and a bag of what appeared to be marijuana -- all in plain sight.

During a search of the apartment, investigators found three large marijuana plants in an upstairs bedroom, along with numerous lighting systems, a commercial grow lamp, marijuana literature and black plastic over the bedroom window.

Also recovered was \$1,030 cash, a bag containing 9 grams of marijuana, 43 grams of marijuana in a glass jar and a ledger detailing alleged drug sales.

Rochford allegedly made incriminating statements to police, including that he had been selling marijuana to cover half his rent.

The lead charge against Rochford, dealing marijuana, is a Class C felony because his apartment is within 1,000 feet of a family housing complex and a school. Dealing marijuana begins as a Class A misdemeanor.

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**July 15, 2011: WLFI TV**

## **Man not guilty of attempted murder Convicted of five other felonies**





- Kristin Maiorano

LAFAYETTE, Ind. (WLFH) - A Tippecanoe County jury has found a Lafayette man not guilty of attempted murder.

26-year-old Matthew Johnson was convicted of five felonies Thursday, including aggravated battery, battery, two counts of possession of methamphetamine, and having an illegal drug lab. But the verdict for an attempted murder charge came back not guilty.

Johnson was involved in a shooting at the Cambridge Estates Apartment Complex in Lafayette in October 2010. Court documents show the shooting took place after Johnson tried to buy marijuana at the complex.

A date has not yet been set for his sentencing hearing.

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**July 14, 2011: Lafayette Journal and Courier**

### **Shooting case trial enters third day**

A Tippecanoe Superior Court 2 jury is expected to begin deliberations this morning on whether a Lafayette man is guilty of attempted murder for shooting another man in the parking lot of an apartment complex last year.

Attempted murder is one of six felonies that 26-year-old Mathew A. Johnson faces in connection with the events of Oct. 26 near Edward Way and Harrow Court in Cambridge Estates.

According to testimony that began Tuesday, Johnson had driven an acquaintance to the complex for the purpose of dealing marijuana.

As they were preparing to leave the complex, the victim, Karlton Jackson, pulled up on his bicycle and stopped in front of Johnson's sport utility vehicle.

After a brief standoff, Jackson was shot once in the abdomen.

Johnson's attorney, Brian Dekker, is arguing that Johnson believed that Jackson was armed and felt threatened.

During an interview with Lafayette police, Johnson reportedly said he only meant to scare Jackson and that he believed two shots he fired ricocheted.

Closing arguments will take place this morning.

**July 14, 2011: Lafayette Journal and Courier**

## **Murder charges filed against 3 Gruesome details of killing emerge**



**Carol Clear**



**Darrien Englert**



**Antonio Williams**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Acquaintances of a Lafayette man found dead last Friday fatally beat him with an ax or shovel, then later poured acid on the body in an attempt to prevent someone from identifying him, court documents allege.

The details were included in probable cause affidavits filed Wednesday in Tippecanoe Superior Court 1, supporting charges of murder and conspiracy to commit murder against Carolann R. Clear, Darren J. Englert and Antonio O.J. Williams.

All three suspects had been staying with the homicide victim, 26-year-old Jeremy K. Gibson, in his apartment at 1018 N. Eighth St., north of downtown Lafayette. Clear was dating Gibson, family members previously told the Journal & Courier.

The investigation began at 1:18 a.m. July 7 when an acquaintance reported Gibson missing. A week later, the investigation is still ongoing, Capt. Bruce Biggs, commander of the Lafayette Police Department's detectives division, said Wednesday.

That means additional charges could be filed against Clear, 20, Englert, 20, and Williams, 25.

Gibson's family members attended initial hearings Wednesday afternoon at the Tippecanoe County Jail for all three suspects. They declined to comment afterward, explaining that they were overwhelmed by the graphic details that emerged with Wednesday's criminal charges.

Funeral services for Gibson, a father of two boys, ages 1 and 2, will be held today, with burial on Friday.

Clear, Englert and Williams all are being held without bond.

Following is a summary of what investigators suspect took place, according to statements from Williams and Clear that were outlined in court documents:

When police arrived at Gibson's apartment the morning of July 7, after receiving the missing person report, they spoke with Clear's mother, Joann Clear. She told them she last saw Gibson about 24 hours prior.

She also reported hearing a fight between the three suspects and Gibson, then hearing Gibson crying. Her daughter also allegedly later said that Gibson had run away.

Williams, Englert and Carolann Clear showed up while officers were still at the apartment. Possible foul play became apparent when investigators found several items of clothing with what appeared to be dried blood. Dried blood also was found in various locations in the apartment.

While interviewing Williams, he allegedly told police that he got into a fight with Gibson either on July 5 or July 6 and began beating him. He accused Clear of then slapping him.

Williams and Englert are suspected of putting Gibson in the shower and binding his arms and legs. After an unknown amount of time, they put Gibson in a vehicle that belonged to Clear's mother.

Gibson was still alive at the time. He was put in the front passenger seat, and a belt was placed around his neck, allegedly held by Englert. Englert and Clear were in the back seat.

Williams, who was driving, then allegedly stopped at another home where he sometimes stayed and got a pickax, a shovel, paint thinner, a can of gasoline and another tool -- later determined to be a hatchet.

They drove around the county and eventually stopped at the side of a road. According to Williams' statement, they took Gibson out of the car and placed a bag over his head. Gibson was then struck in the head with the ax or shovel multiple times by Williams and Englert.

Though Clear is not suspected of participating in the actual beating, she's accused of allegedly egging on Williams and Englert -- at one point, telling them they hit like girls.

It also was allegedly her idea to bury Gibson's body, strip him naked and put him in a fetal position because the grave Williams and Englert dug was too small. Dirt and cornstalks were placed over his body.

The three suspects are then accused of tossing the weapons into the Wabash River.

On July 8, Journal & Courier photographer John Terhune saw police pull what appeared to be an ax and a hatchet from the Wabash, about 10 feet from the banks on the West Lafayette side of the John T. Myers Pedestrian Bridge.

The next day, according to Williams, he and Englert went to a hardware store in West Lafayette, where he stole a container of acid and bags of dirt. They then returned to Gibson's body and poured the acid over him.

Clear, during an interview on July 8, gave information that matched Williams' alleged confession.

Police found Gibson's body in a shallow grave near County Road 500 North and U.S. 231, outside Montmorenci, the evening of July 7. A forensic pathologist noted that Gibson's body had burns on it consistent with having acid poured on him.

The lead charge of murder against the three suspects is punishable by 45 to 65 years in prison. Conspiracy to commit murder is a Class A felony, punishable by 20 to 50 years.

Magistrate Norris Wang on Wednesday set a tentative trial date of Oct. 4. Williams requested a speedy trial and plans to represent himself -- though Wang appointed a public defender to assist him "on standby."

Clear also was appointed a public defender. She and her mother moved to Lafayette from Florida about a month ago, which also is about how long she has been dating Gibson. His family told the Journal & Courier that they suspect he might have met Clear while traveling doing contract newspaper sales, including for the J&C.

Englert has private attorneys.

The charges were filed in Superior Court 1. Williams is on probation through that court, following a conviction for robbery. He was released from the Indiana Department of Correction in March.

Gibson's family held a candlelight vigil on Saturday outside his apartment. Signs they created, along with photos, candles and stuffed animals from people in the community, remained on his front porch Wednesday afternoon.

**July 14, 2011: WLFI TV**

## **Trial for Cambridge shooting begins**

LAFAYETTE, Ind. (WLFI) - 26-year-old Mathew Johnson appeared in Tippecanoe Superior Court Two on Wednesday.

The court's office said the trial will go until a decision is reached.

Johnson was previously charged with six felonies including attempted murder and aggravated battery.

Johnson was involved in a shooting at the Cambridge Estates Apartment Complex in Lafayette in October of 2010.

Court documents show the shooting took place after Johnson tried to buy marijuana at the complex.

**July 14, 2011: WLFI TV**

## **Man found guilty of dealing crack**



TIPPECANOE COUNTY, Ind. (WLFI) - A man is found guilty of several drug charges in Tippecanoe County.

Prosecutor Pat Harrington said these charges stem back to March and April of 2010.

Harrington said Jeffery Roshell sold crack cocaine to undercover drug task force officers and was found guilty after a two-day trial in Superior Court.

Roshnell was charged with two counts of dealing cocaine which are class A felonies, and two counts possession of cocaine, class B felonies.

Sentencing is expected to take place August 12

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**July 13, 2011: WLFI TV**

## **Details emerge in Gibson murder case Three charged in connection to Gibson's murder**

Tiffanie Dismore

LAFAYETTE, Ind. (WLFI) - Three people living in the same home as the victim went before the magistrate today to hear what charges have been brought against them in connection to the murder of 26-year-old Lafayette resident Jeremy Gibson.

Those hearing their charges were 20-year-old Darren Englert, 25-year-old Antonio Williams and 20-year-old Carolann Clear. Magistrate Norris Wang informed all three that they are facing charges of information of conspiracy to commit murder and murder, both class A felonies.

Gibson's family was there as the three defendants appeared in court. They arrived at the jail in vehicles which bore the words "Justice for Jeremy." Family members held hands and put arms around each other as each defendant walked into the court room.

As Clear was read her rights, she used a tissue to wipe away tears and appeared to be on the verge of crying

during the initial hearing.

In spite of Clear's apparent emotions in the courtroom, [the affidavit of probable cause filed in the case](#) alleges that Clear actively aided in Gibson's murder.

The affidavit states Williams told police he and Clear beat Gibson at Gibson's home, late on July 5 and into the early morning on July 6. The affidavit states the three defendants forced Gibson into a car. In the court documents, Clear said Gibson was pleading for his life. Williams told police Englert had a belt around Gibson's neck during the drive.

According to the affidavit, Clear admitted to police that she had taunted Gibson during the drive while being intimate with Englert.

Williams told police they stopped at another house to get a pick axe, shovel, paint thinner, can of gasoline and a hatchet.

The documents state that a bag was placed over Gibson's head once they got to County Road 500 North. The report also said Williams and Englert hit Gibson in the head with a pick axe and shovel multiple times. Court documents state Clear was watching for traffic when Gibson died, and at one point told the two men they hit like girls.

The two men then dug a hole and buried Gibson.

Police said when they found Gibson's body, it appeared to have acid burns. Police found a pick axe, hatchet and shovel in the Wabash River Friday.

Williams, Englert and Clear all have to file their motions by August 26 at 8:30 in the morning. A tentative jury trial date is set for October 4.

Judge Wang told the three defendants they cannot post bond. Wang explained conspiracy to commit murder carries a 20-50 years and murder carries 45-65 year sentence, if convicted.

Gibson's family declined to comment on camera, but did make several comments during today's hearing, obviously upset. When Englert left the courtroom, many in Gibson's family stood up and watched him leave.

**July 13, 2011: Lafayette Journal and Courier**

### **Court records: 3 homicide suspects went back to shallow grave to pour acid on north-end Lafayette man's body (update)**

Three suspects in the death of a north end Lafayette man were charged today with murder and conspiracy to commit murder.

Antonio O.J. Williams, 25, Darren J. Englert, 20, and CarolAnn R. Clear, 20, were charged this afternoon in Tippecanoe Superior Court 1 in the death of Jeremy Gibson, 26.

Police have said Gibson was beaten and killed after being taken from his home at 1018 N. Eighth St. in Lafayette. Gibson was reported missing in the early morning hours on Thursday.

Gibson's body was found in a shallow grave early Friday near County Road 500 North and U.S. 231, outside Montmorenci.

According to documents filed in court today, here's the prosecution's take on what happened:

The victim and the suspects got into a fight sometime before the homicide occurred. Police says Williams and Englert tied up Gibson and put him in a shower in the house on North Eighth Street.

Court documents said the suspects then put Gibson in a car. They stopped by another house and picked up a pick

ax, hatchet, shovel, paint thinner and gasoline. They drove Gibson into the country, put a bag over his head and led him away from the car. There, Williams and Englert are accused of beating Gibson in the head with either the shovel or the pick ax. The records contend that Clear was there, but just watched.

The suspects then are accused of digging the grave and putting Gibson in it.

According to the documents filed today, the next day the three suspects went to a hardware store and stole acid and dirt. They went back to the grave, poured the acid on Gibson's body and then covered it with dirt and corn stalks.

For more on this story, check back with [jconline.com](http://jconline.com)

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**July 12, 2011: Lafayette Journal and Courier**

## **Witness testifies in Cambridge Estates shooting**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Tippecanoe County jury will decide whether a Lafayette man was justified in shooting another man whom he perceived was blocking him from leaving an apartment complex following a drug deal last year.

The suspect, Mathew A. Johnson, 26, is charged with six felonies, including attempted murder, aggravated battery, battery by means of a deadly weapon and possession of methamphetamine.

His trial began Tuesday in Tippecanoe Superior Court 2. Testimony will resume this morning.

The shooting took place Oct. 29 near Edward Way and Harrow Court in the Cambridge Estates apartment complex off Indiana 38 East. That evening, Johnson had driven an acquaintance, Michael "Dylan" Griffin, there so Griffin could sell marijuana.

Following is a summary of what took place, according to Griffin's testimony:

About two weeks prior to the shooting, Griffin began dealing marijuana at Cambridge Estates with 21-year-old Karlon Jackson. Jackson is the person who was shot once in the abdomen by Johnson.

On Oct. 29, Johnson drove Griffin to Cambridge Estates, where they pulled into a parking lot space and waited for Griffin's cousin, who was purchasing \$10 worth of marijuana from him.

After the deal, Johnson pulled his Dodge Durango out of a parking spot and was attempting to drive off when Jackson rode up on a bicycle, stopping about 15 feet in front of the Durango and blocking his path. A dead end blocked the vehicle from behind.

Griffin told jurors he owed Jackson \$45 for marijuana he obtained for resale and was supposed to have paid Griffin about two days prior. Griffin said he believed that's why Jackson showed up.

Johnson told Jackson at least twice to move, Griffin testified, but Jackson refused. Griffin said he was going to get out and pay Jackson, but the passenger-side door was broken and held with bungee cord.

That's when Johnson pulled out a handgun and displayed it so Jackson could view it through the windshield. Johnson cocked the gun, Griffin said.

"I told him, 'No, don't shoot. ... That's my friend,' " Griffin said. When Jackson still wouldn't move, Johnson pointed the gun out the window and shot, Griffin said.

He said he heard two shots and saw Jackson take off. It wasn't until later that Griffin learned one of the bullets struck Jackson, who required hospitalization.

Griffin then called Lafayette police and told them what took place. He chose Johnson's photo out of a police lineup.

Johnson's defense attorney, Brian Dekker, is attempting to show that his client felt threatened by Jackson, whom his client had reason to believe may have been armed.

Under questioning by Dekker, Griffin said he knew Jackson was upset with him over the \$45. Griffin also said that Jackson used to own a handgun, but Jackson's cousin took it away after Jackson got arrested for drunken driving.

Whether Johnson knew that is unclear. But Jackson's hands were concealed in his coat as he stood in front of the Durango, and he was not fazed by Johnson's handgun, Griffin said.

"Matt kept telling Karlton to move, right?" Dekker said.

"Karlton saw Matt cock the gun, but he didn't move, didn't flinch," Griffin said.

Griffin said he was not scared of Jackson but that he heard rumors of Jackson's acquaintances coming from Gary over the \$45 "to get me."

The methamphetamine charges against Johnson stem from Mason jars, funnels, medicine containing pseudoephedrine and other ingredients commonly used to make meth that were found in Johnson's girlfriend's vehicle when he was arrested on Oct. 30.

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**July 11, 2011: Lafayette Journal and Courier**

## **Illinois man accused of passing bad prescription in Lafayette**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

An Illinois man is accused of forging a prescription for painkillers and trying to have it filled at a Lafayette pharmacy.

David E. Williams Jr., 44, of Catlin, Ill., was charged today in Tippecanoe Superior Court 1 with forgery and attempted acquisition of a controlled substance by misrepresentation, fraud, forgery or deception.

Both counts are felonies.

Williams was being held tonight in the Tippecanoe County Jail on \$7,500 and \$750 cash bonds.

According to a probable cause affidavit, Williams went to CVS at 50 Sagamore Parkway South on July 4 to fill a prescription for Norco 10/325, a type of pain medication that contains both hydrocodone and acetaminophen.

The pharmacist called the hospital to confirm it because the prescription was from Illinois.

Lafayette police were eventually called after the pharmacy learned that the name of a doctor Williams provided did not work at the hospital named on the prescription.

Williams was treated at the hospital in February but not in the emergency room, as the prescription stated. The



doctor who treated him told investigators that Williams was not prescribed any medication following his visit.

The doctor's name on the prescription also told investigators that he treated Williams in April but that he did not authorize the prescription that was given to CVS.

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**July 9, 2011: Lafayette Journal and Courier**

## **Judge weighs time limit in molest case**

By SOPHIA VORAVONG; [svoravong@jonline.com](mailto:svoravong@jonline.com)

A Tippecanoe County judge must decide whether the prosecutor's office can try a Buck Creek man on allegations of child molestation that may have occurred in 1999 but were not reported to law enforcement until 10 years later.

Chad E. Stewart, 29, was charged last August in Tippecanoe Circuit Court with eight counts of child molesting, all Class B felonies, based on an investigation by the Lafayette Police Department that began in August 2009.

His attorney, deputy public defender Michael Trueblood, is arguing that the crimes fall under a five-year statute of limitations in Indiana and can no longer be prosecuted.

A hearing on Stewart's motion to dismiss was held Friday afternoon before Circuit Court Judge Don Daniel. Daniel will issue his ruling at a later date.

One of the issues for the court is when the allegations were first reported.

According to court documents, police were contacted by the Indiana Department of Child Services in August 2009 after a therapist who treated one of the children reported the allegations.

The alleged victims, a brother and sister who are now teenagers, told investigators that the sexual acts occurred when they were younger -- sometime between May and December 1999. They were between the ages of 5 and 8.

The siblings told investigators that they were forced to perform sexual acts by a former teenager neighbor who was their baby sitter's brother.

That led police to Stewart.

The siblings' mother testified during Friday's hearing that she reported the allegations to Child Protective Services in 1999 or early 2000 when she found out. But CPS ultimately decided not to pursue it and closed the case, the woman said.

The Journal & Courier typically does not identify potential victims of sex-based crimes or their family members.

Trueblood is arguing that the woman's report to CPS is when the five-year statute of limitations would begin.

Deputy Prosecutor Elizabeth Goodrich, however, is arguing that it would not start until law enforcement were notified -- in this case, August 2009.

Detective Joe Clyde, whose investigation led to the charges against Stewart, said he checked police records countywide and the allegations were previously reported or forwarded.

"My belief is that a report was made to CPS by the mom and was destroyed," Clyde said, explaining that the



agency holds onto paperwork for unsubstantiated cases for only 60 days.

Another issue for Daniel to consider is whether Stewart tried to conceal the crimes by threatening the alleged victims. That would void the five-year statute of limitations.

The male sibling testified Friday that Stewart allegedly threatened to tie him to railroad tracks near his home if he told anyone.

Indiana Supreme Court last month upheld a Delaware County man's conviction for child molesting as a Class C felony, based on threats made toward a victim who waited 17 years to tell someone.

**July 5, 2011: WLFI TV**

## **Bus arson suspect admits guilt Told judge: "I was being dumb that day."**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A 14-year-old boy has admitted guilt in a June arson case that destroyed four Tippecanoe School Corporation school buses.

The boy appeared before Tippecanoe Superior Three Judge Loretta Rush this afternoon for a fact finding hearing.

His attorney told the judge that the boy was planning to admit his guilt to one of four felony arson charges, as well as four counts of criminal mischief. In return, the state would drop three additional arson charges.

In court Tuesday, the boy described how he sneaked out of his home to meet a friend, poured lighter fluid on the seat of one school bus, and set it on fire with a lighter.

The boy told the judge "I was being dumb that day."

**July 5, 2011: Lafayette Journal and Courier**

## **Teen admits lighting bus fires**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A 14-year-old boy told a friend via Facebook that he hated Wea Ridge just hours before he intentionally started a fire that destroyed four Tippecanoe School Corp. buses last month.

That's according to entries from the teenager's Facebook page that the Tippecanoe County prosecutor's office printed off and presented to Judge Loretta Rush during a hearing Tuesday afternoon in Tippecanoe Superior Court 3, the county's juvenile court.

The boy had apparently gotten in trouble at school sometime before the fire broke out in the parking lot at Wea Ridge Elementary School, Deputy Prosecutor Chuck Hagen said. The fire happened in the early morning hours of June 3. Classes ended at Wea Ridge on May 27.

But when pressed whether that was his motive, the boy replied, "But I don't hate the school!" At the time, he was a student at Wea Ridge Middle School.

The boy's testimony came after he pleaded guilty to one count of arson, a Class B felony, and four counts of criminal mischief, each a Class C felony, at the start of his fact-finding hearing.

A final disposition hearing -- the last step in the juvenile justice process -- is scheduled for Aug. 10. Rush will likely

decide whether to accept his plea, and what the punishment will be on, on that date.

He'll remain in secure detention until then.

The Journal & Courier is not naming the boy, who turns 15 next week, because he is not being tried as an adult.

Following is a summary of what the boy claimed took place, according to his testimony:

The boy received a text message on his iPod Touch from a friend about 2 a.m. on June 3, asking him to sneak out. His mother was asleep at the time, and the boy left through a back door.

He met the friend, another 14-year-old boy, at a park near their home in the Benjamin Crossing subdivision.

The boy said that his friend wanted to start a pit fire, so he returned home and got starter fluid -- charcoal lighter meant for the grill -- from his mom's backyard. The friend put the lighter fluid in a water bottle.

The friend also already had a long-reach lighter with him.

They walked to nearby Wea Ridge Elementary School -- smoking cigarettes on the way -- to meet another 13-year-old boy, who did not show up.

At the school, the boy was able to open the door to a bus that was the second in a line of 12 buses in the parking lot. He poured lighter fluid on a front seat, then set the seat on fire.

The other 14-year-old also was on the bus with him. They then took off running.

The boy said that when he looked back, only one bus was on fire. But he admitted that the buses were parked in close proximity -- demonstrating with his hands that each bus was about a foot apart.

"I wasn't planning to burn the whole bus, sir," the boy told Hagen. "I was being dumb that day, sir."

He arrived back home around 4 a.m. June 3.

However, Rush was quick to note that his testimony conflicted with his Facebook messages and posts, including one in which he identified 10 other people by name -- among them, his own brother and "one 18-year-old guy" -- who were with him.

The boy also wrote on Facebook that he looked back and saw three buses on fire, then heard a loud boom. That was a lie, he told Rush.

"I need you to be completely honest with me," she said.

The boy again claimed that only one other person was with him.

Hagen told Rush that he doesn't anticipate charges being brought against anyone else the boy named. Hagen could not say why afterward because prosecutors are forbidden from commenting on juvenile cases outside of what is discussed in open court.

The boy's attorney, Tim Broden, said the boy expects to pay full restitution. Hagen said that amount is about \$425,000. The buses were the newest in the Tippecanoe School Corp., school officials previously said.

The boy's mother currently is enrolled in parenting classes through the YWCA, as Rush ordered during his last hearing on June 14.

At Broden's request, the boy will receive a second mental health evaluation before his next hearing.

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**June 29, 2011: WLFI TV**

## **Man pleads guilty for shots fired Also pleads for 2008 burglary incident**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man admitted guilt for firing a gun outside of Amelia Earhart Elementary last December.

19-year-old Stacey Daniel Thomas appeared in Tippecanoe Superior Court Tuesday. He pleaded guilty to three felonies related to the December incident, including attempted aggravated battery, criminal recklessness, and being a felon in possession of a handgun.

He also pleaded guilty to conspiracy to commit burglary, for a 2008 incident where he gave two minors an access code to the Hour Time restaurant where he was working, to steal and sell some steaks.

Judge Randy Williams said he will decide whether to accept the plea deal at Thomas' sentencing hearing, which is scheduled for August 1.

**June 29, 2011: Lafayette Journal and Courier**

## **Former crossing guard charged in meth lab investigation**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A second person has been charged in connection to a methamphetamine lab that was found in the basement of a Dayton home that caught fire earlier this month.

Brandy Jo Wesner, also known as Brandy Jo Sukits, was arrested late Tuesday night at Knights Inn on Indiana 26 East, said Sgt. Jay Rosen of the Lafayette Police Department. Rosen said investigators had been looking for Sukits since the June 10 fire.

Brandy Wesner, 36, was charged June 15 with multiple felonies, including dealing meth; possession of meth; information of an illegal drug lab; neglect of a dependent; and maintaining a common nuisance

She's also charged with misdemeanor counts of possession of paraphernalia and marijuana.

The charges, filed in Tippecanoe Circuit Court, had been sealed until today, pending Sukits' arrest.

Brandy Wesner was a crossing guard in Dayton during the most recent school year, Dayton police previously told the Journal & Courier.

Her husband, 33-year-old William F. Wesner, faces similar charges.

Sheffield Township firefighters were called to the couple's home at 283 Washington St. on June 10 after neighbors called 911 to report an explosion, followed by a fire.

According to a probable cause affidavit, William and Brandy Wesner were found outside when emergency responders arrived. Brandy Wesner had black soot on her face and arms. William Wesner had cuts to his back from breaking a window.

Items found in the basement included drain opener or sulfuric acid, a plastic bottle containing white and pink residue that tested positive for meth, a funnel with powder that tested positive for meth, and a burned container

of salt.

Elsewhere in the home, investigators found marijuana, digital scales, white pills believed to be pseudoephedrine and an HCL generator.

Pseudoephedrine is an ingredient in some cold and sinus medication that is commonly used to cook meth. A HCL generator is used to mix acid and salt to produce hydrogen chloride gas, an ingredient in meth production.

The neglect charge is due to Brandy Wesner's 13-year-old son being home at the time. He allegedly told investigators that he believed some drug dealing had been taking place.

The fire itself appeared to have been caused by an accelerant in a glass Ball jar found in a back bedroom. The Tippecanoe County Arson Task Force was called to assist in the investigation.

Brandy Wesner left the home shortly after firefighters and police arrived. Her exact whereabouts were unknown until her arrest Tuesday night.

**June 29, 2011: Lafayette Journal and Courier**

## **Lafayette man charged in string of burglaries**

A Lafayette man has been charged in a string of residential burglaries, accused of breaking into the homes of acquaintances and pawning the stolen goods.

Michael T. Smith, 21, was charged Tuesday in Tippecanoe Circuit Court with two counts of burglary and four counts of theft. All six counts are felonies.

Smith was being held Tuesday afternoon in the Tippecanoe County Jail on combined \$15,000 surety and \$1,500 cash bonds.

According to a probable cause affidavit, the first burglary was reported June 3 in the 3500 block of Thornhill Circle. Smith became a suspect because he visited the home that day to use the computer.

The homeowner came home later to find her computer missing and a window unlocked.

The second burglary was reported June 8 in the 100 block of Wise Drive. The woman told investigators that she suspected Smith because he stopped by to ask for a cigarette while visiting the woman's neighbor.

In that case, a TV was taken and a window screen appeared to have been tampered with.

A third burglary took place on either June 6 or 7 in the 2800 block of Plaza Lane. A witness called police June 9 and reported seeing a male taking a television and other items from a residence there.

The home's occupant, who is an acquaintance of Smith, came home to an unlocked screen door.

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**June 28, 2011: WLFI TV**

## **Man pleads guilty for shots fired Also pleads for 2008 burglary incident**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man admits guilt for firing a gun outside of Amelia Earhart Elementary last

December.

19-year-old Stacey Daniel Thomas appeared in Tippecanoe Superior Court Tuesday. He pleaded guilty to three felonies related to the December incident, including attempted aggravated battery, criminal recklessness, and being a felon in possession of a handgun.

He also pleaded guilty to conspiracy to commit burglary, for a 2008 incident where he gave two minors an access code to the Hour Time restaurant where he was working, to steal and sell some steaks.

Judge Randy Williams said he will decide whether to accept the plea deal at Thomas' sentencing hearing, which is scheduled for August 1st.

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**June 25, 2011: Lafayette Journal and Courier**

## **Heroin sale leads to charges against 3**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

An investigation into sources for heroin in Tippecanoe County has led to criminal charges against three people, including a Lafayette couple accused of placing four children in their home in danger.

Demetrius M. Newell, 36, is suspected of selling heroin on four instances to an undercover detective with the Tippecanoe County Drug Task Force.

Newell is charged in Tippecanoe Superior Court 2 with 15 felonies, including multiple counts of conspiracy to commit dealing in a narcotic drug; dealing in a narcotic drug; possession of a narcotic drug; and neglect of a dependent.

He was being held Friday night in the Tippecanoe County Jail on a \$100,000 surety bond.

Newell's fiancée, Kelly S. Thornton, 31, is charged in the same court with possession of a narcotic drug; maintaining a common nuisance; and four counts of neglect of a dependent. She's also accused of being a habitual substance offender, which is a sentencing enhancement.

Thornton was being held in jail Friday night on a \$12,500 surety bond and a \$1,250 cash bond.

A third woman, Nicolle C. Stewart, 29, is charged with conspiracy to commit dealing in a narcotic drug; three counts of dealing in a narcotic drug; and two counts of possession of a narcotic drug.

A warrant for Stewart's arrest was issued this week, but she was not listed as a jail inmate as of Friday night.

According to a probable cause affidavit filed in support of the charges, the investigation began with information that a woman named "Nicole" was a source for heroin in Tippecanoe County.

A phone number for that woman allegedly belongs to Stewart.

She's accused of selling heroin to an undercover detective on June 2 and 3 -- the second time allegedly accompanied by Newell.

The detective then allegedly bought suspected heroin directly from Newell on June 7, 9 and 14.

Newell was arrested shortly after the June 14 sale, during a traffic stop made by the drug task force and Lafayette Police Department's Street Crimes Unit.

Thornton's arrest came when police served a search warrant at Newell's apartment.

She allegedly had slurred speech, could not stand up and was falling asleep when police tried to speak with her.

Her four children, ages 1 month to 14 years, were also home at the time.

Investigators suspect that Newell was purchasing heroin in Indianapolis to resell here.

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**June 24, 2011: WLFI TV**

## **Man sentenced for drug growing bust Had 183 marijuana plants in his home**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A 20-year-old Lafayette man will face prison time for what a judge called one of the largest indoor marijuana growing operations he's ever seen.

Jordan Sullivan was sentenced Friday in Tippecanoe Circuit Court to four years in prison, followed by two years in community corrections and six years on probation. He had been charged with dealing in a controlled substance and dealing marijuana, both felonies.

According to Tippecanoe County Prosecutor Pat Harrington, Sullivan was arrested last October after selling drugs to undercover police on three occasions.

Police obtained a search warrant to his home at 801 S. Second Street. There they found 183 marijuana plants, 120 hits of LSD, \$1600 cash, and books on how to grow marijuana.

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**June 23, 2011: Lafayette Journal and Courier**

## **Homeless man accused of breaking in, hiding, then raping newcomer to city**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette woman told police she was raped in the presence of her 4-year-old son by a homeless man whom investigators suspect hid in the family's apartment overnight on June 17, according to court documents filed Wednesday.

The suspect, Daniel Sade Dash, 25, has been charged in Tippecanoe Superior Court 1 with 15 felonies, including multiple counts of rape, criminal deviate conduct and criminal confinement.

Following an initial hearing Wednesday afternoon at the Tippecanoe County Jail, Dash's bond was raised from \$100,000 surety to \$100,000 surety and \$10,000 cash. As of the afternoon, an individual public defender had not yet been assigned to represent him.

Detective Mark Pinkard of the Lafayette Police Department said the woman was treated at St. Elizabeth East hospital and has since been released. The 4-year-old was not physically harmed.

Police were contacted at 11:05 a.m. last Friday after the woman and her son ran to Bauer Family Resources on South Fourth Street for help. The family lives nearby.

"He left briefly, and she grabbed her son and ran," Pinkard said. "She believed he was coming back. ... She

wanted to get far away -- the key being distance from him."

Pinkard and Officer Mark Roberts found a man matching the suspect's description about 11:15 a.m. walking toward the woman's home. The woman later chose Dash's photo from a police lineup as the man who attacked her, Pinkard said

Dash and the woman did not know each other, but the woman said she had previously seen him walking in her neighborhood south of downtown, Pinkard said.

According to Capt. Bruce Biggs, investigators believe the suspect broke in through a window and stayed out of sight in an unoccupied room or closet in the apartment.

"We have reason to believe that he laid in wait during the night and attacked her in broad daylight, when he felt it was OK to come out," Biggs said.

Why Dash chose that apartment to hide in was not clear, Pinkard said. The family has lived in Lafayette for only three weeks.

The woman told police she first was attacked about 6:45 a.m. Friday after her live-in girlfriend left for work. The sexual assaults lasted until 11 a.m., Pinkard said.

According to court documents filed in support of the charges, the woman said she was preparing to leave home with her 4-year-old son when she was grabbed by a man who was hiding in her house.

The woman told investigators that she recalled being choked and then blacking out. When she woke up, she was naked and lying on a bed. She further described being choked into unconsciousness three times and having a knife held over her.

The 4-year-old was interviewed at Heartford House, Tippecanoe County's child advocacy center, and gave investigators graphic details that matched his mother's statements, according to police statements. The boy said his mother yelled for him to leave and get the police, but he did not.

A knife believed to have been used in the assault was found in a bedroom.

Seven of the charges filed Wednesday are Class A felonies, each punishable by 20 to 50 years in prison.

Dash also was charged with intimidation, strangulation and burglary.

Pinkard said Dash, a native of Queens Village, New York, has prior arrests in Tippecanoe County for minor crimes. They've included multiple convictions for trespassing and one conviction for public indecency since May 2006, a check of Tippecanoe County's court records show.

**June 23, 2011: Lafayette Journal and Courier**

## **Ex-Purdue wide receiver charged in January fight**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former Purdue University football player has been charged with felony battery on accusations that he punched a Wabash College student outside a West Lafayette bar in January.

Aquirinas "Cortez" Smith, 22, of Hooks, Texas, was charged Wednesday in Tippecanoe Superior Court 2 with battery resulting in serious bodily injury and criminal recklessness inflicting bodily injury. Both of those counts are felonies.

Smith also was charged with a misdemeanor count of battery.

The confrontation took place shortly before 2:30 a.m. Jan. 21 outside Brothers Bar & Grill, 306 W. State St., in West Lafayette's Village. Smith wasn't identified -- and then arrested -- until a few days later, when a witness looked up Purdue's football roster

A message was left Wednesday afternoon on a telephone listing for Smith, seeking comment. That message had not been returned as of 6 p.m.

According to a probable cause affidavit, the victim, Charles Kelly, suffered five facial fractures that required four titanium plates be surgically implanted around his left eye socket.

The punch also broke four of Kelly's teeth.

The confrontation reportedly began in Where Else? Bar -- located next to Brothers -- between Smith and a third man, Brandon Parker, who claimed Smith touched a female friend.

As those two argued, several more men surrounded them. Bouncers at Where Else? then asked all people involved to leave.

But the confrontation apparently continued once outside. That's when Kelly, who did not know Smith or Parker, tried to intervene and calm the situation.

Kelly got punched and fell to the ground.

Detectives with the West Lafayette Police Department interviewed Smith on Jan. 26, during which time Smith made incriminating statements that matched some details from other witnesses.

Smith told investigators that he felt someone brush against the back of his right shoulder, and he felt threatened. But Smith claimed to have never touched the woman who was the subject of the initial argument.

At the time, Smith was a senior at Purdue. The Boilermakers wide receiver played his final season on the football team last year.

Tippecanoe County Prosecutor Pat Harrington said Wednesday that his office had been prepared to file charges against Smith in April, after West Lafayette police wrapped up its investigation.

But then the names of more witnesses were provided, and investigators wanted to confirm whether their recollection of what took place matched statements from prior witnesses, Harrington said.

Smith was arrested in January. Lt. Troy Harris, commander of West Lafayette's detectives division, said Wednesday that Smith most likely will not be re-arrested, since the charge is the same.

The lead charge against him, battery resulting in serious bodily injury is a Class C felony, punishable by two to eight years in prison.

Harris said no one else was injured.

Contributing: Mike Carmin/mcarmin@jconline.com

**June 23, 2011: WLFI TV**

## **Police: Woman was raped in front of son**

LAFAYETTE, Ind. (WLFI) - A homeless Lafayette man has been charged with 15 felonies for allegedly raping a



woman in front of her four-year-old son.

According to the affidavit of probable cause filed in the case, the victim told police that she was preparing to leave her apartment on June 17 when she was grabbed by a man who had been hiding inside the home, who told her he had broken in the previous night and waited in the closet until morning.

The victim's four-year-old son was present, and police said the victim told them that the man would not allow her or her son to leave.

The man threatened to kill the victim or her son if she would not comply with his demands, and at one point threatened the victim with a knife, police said.

Police also said that the victim was choked to the point of unconsciousness three separate times.

Police said the victim was repeatedly assaulted.

Police said the victim told them she had seen the man previously at the day shelter on 9th Street and was able to describe him, but did not know him or know his name. The victim later identified the man as Daniel Sade Dash.

The victim's son was also interviewed by police. Police said the boy told them a man he did not know had taken his mother's clothes and described the rape of his mother.

Dash faces 15 felony charges, including multiple charges for rape, criminal deviate conduct, criminal confinement, burglary, and one count of strangulation.

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**June 20, 2011: Lafayette Journal and Courier**

## **Day care operator gets 3 years for welfare fraud**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man was sentenced Monday to three years in prison for lying about his family's total income and home-operated day cares to receive \$30,000 in public assistance from Indiana.

Edwin E. Battering, 43, pleaded guilty last month in Tippecanoe Circuit Court to conspiracy to commit welfare fraud, a Class C felony, admitting that he and an ex-wife agreed to falsify documents to qualify for aid.

Battering's prison time will be followed by one year on community corrections -- some combination of home detention, work release or day reporting -- and two years on probation

Under a plea agreement with the Tippecanoe County prosecutor's office, additional counts of welfare fraud and theft were dropped.

The charges stem from an investigation that began in December 2009 by the Family and Social Security Administration into allegations that Battering provided false information to qualify for food stamps and Medicaid.

FSSA special investigator Sherri Rinderer, who testified Monday, said it led to information that Battering was operating two day cares -- one at his home at Edgelea Drive and a second one at his ex-wife's home on Powder House Lane, both on Lafayette's south end.

Income from the day cares would have made Battering ineligible for the public assistance.

According to court documents, Battering further received about \$3,250 in food reimbursements for three children who did not attend his Edgelea Drive day care and failed to tell the state that another person in his home -- the

father of Battering's granddaughter -- was employed.

To qualify for food stamps, the income of all household members must be provided.

Rinderer said the FSSA typically does not recommend prison time in such cases, instead asking only for reimbursement to taxpayers. But she told Judge Don Daniel that Battering's repeat behavior called for an aggravated sentence.

"Mr. Battering has been doing this for a long time," Rinderer said. "There were numerous times during the past five years that he could have told us about the day cares. ... Based on his background, he needs a little bit more of a wake up call."

The investigation was able to go back five years under FSSA guidelines.

Battering's criminal history includes numerous convictions for check deception and theft and, as recently as last fall, theft and possession of heroin, said deputy prosecutor Reid Murtaugh.

Battering testified on his own behalf. He said that he is attempting to clean up his act. He said he split some of the money with two mothers whose children attended his day care.

"I'm asking for a chance," Battering said.

Daniel, however, noted that Battering failed to follow rules set in a Child in Need of Services case in juvenile court -- resulting in the termination of Battering's parental rights -- when he failed a drug screen and was arrested for possession.

A hearing to determine how much Battering owes in restitution will be held at a later date.

Battering's ex-wife, Pamela Battering, pleaded guilty in April to the same count, conspiracy to commit welfare fraud.

She received a lighter sentence of four years on probation, due in part to having no criminal history.

**June 20, 2011: Lafayette Journal and Courier**

## **Ex-hospital employee charged with stealing drugs, syringes**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former employee at IU Health Arnett is accused of stealing vials and syringes of medication and replacing them with saline solution, allegedly to not raise suspicions.

The employee, Elaine I. Myers, 42, of Lebanon, was charged Monday in Tippecanoe Superior Court 1 with four counts of forgery; four counts of possession of a narcotic drug; and one count of theft.

All nine counts are felonies.

Myers had not been booked into the Tippecanoe County Jail as of Monday night.

According to a probable cause affidavit, the medication was taken from the IU Arnett Surgery Unit. The Lafayette Police Department was then contacted on March 15.

Myers was quickly identified as a suspect because the medication was missing from a dispenser that requires fingerprint identification to access it. And once access is obtained, employees are required to document how much of the drug is being removed and the patient's name.

Hospital officials found several instances where Myers allegedly removed medication for patients who had been discharged or where there was no documentation that the patient was given the medication.

Vials of dilaudid, a narcotic pain reliever, and fentanyl, a synthetic opiate, also were found in Myers' locker, along with a couple of syringes.

Detectives interviewed Myers on March 16, during which time she made incriminating statements about providing the medication to her husband and using some herself a few times.

Myers is suspected of taking medication about 40 times and replacing them with a saline solution. It's unclear from court documents whether Myers allegedly refilled the same vials that were stolen.

In addition to dilaudid and fentanyl, Myers is accused of taking ondansetron, a medication used to treat nausea and vomiting caused by chemotherapy treatment.

Carrie North, a spokeswoman for IU Health Arnett, said Monday that Myers is no longer employed there. A home telephone number for Myers could not be found to reach her for comment.

**June 20, 2011: WLFI TV**

## **Man gets three years for welfare fraud Plead guilty to one felony in May**

Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man is sentenced to three years in prison for defrauding the welfare system.

43-year-old Edwin Battering was sentenced Monday afternoon in Tippecanoe Circuit Court.

Last month he pleaded guilty to one count of Conspiracy to Commit Welfare Fraud, a Class C felony. Monday, Judge Don Daniel sentenced him to three years in prison, followed by one year in community corrections and two years on probation.

According to the Tippecanoe County Prosecutor's Office, Battering and his wife Pamela agreed to falsify documents to unlawfully obtain public assistance. If he had give accurate information about his family and total assets, he would have been ineligible for certain public assistance payments.

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**June 17, 2011: WLFI TV**

## **Woman sentenced for drunk bus crash 10 injured in March 2010 crash**

LAFAYETTE, Ind. (WLFI) - A Lafayette woman has been sentenced to six years in prison for running her car into a bus full of people while she was drunk.

Tippecanoe Circuit Judge Don Daniel sentenced 59-year-old Cathy Goldberg to six years in prison, followed by four years in Community Corrections and seven years on probation.

According to the Tippecanoe County Prosecutor's Office, in March 2010 Goldberg crossed the center line and struck a car.

She crossed the center line again and hit a bus full of 36 people, causing the bus to roll on its side. 10 people were injured.

Goldberg pleaded guilty last month to two counts of Operating While Intoxicated, Causing Serious Bodily Injury, which is a Class C felony.

**June 17, 2011: Lafayette Journal and Courier**

## **Drunken driver gets 7 years for crash into Lafayette Limo van**

A Lafayette woman was sentenced this afternoon to seven years in prison for driving drunk when she crashed into a bus last year that was carrying Purdue University students returning from spring break.

A Pontiac Sunbird driven by Cathy P. Goldberg was headed north on Indiana 43 on March 21, 2010, when it crossed the center line and sideswiped a Pontiac Grand Prix.

Goldberg then collided with a Lafayette Limo, causing the bus to roll onto its side. Thirty-six Purdue students were on the bus, the Tippecanoe County Sheriff's Office previously reported.

The crash occurred shortly before 8 p.m. - nighttime hours in March - and the Sunbird's headlights were not on.

No one suffered life-threatening injuries, but nine people on the Lafayette Limo were taken to area hospitals for treatment.

Goldberg pleaded guilty last month in Tippecanoe Circuit Court to operating a vehicle while intoxicated with a prior conviction, causing serious bodily injury, a Class C felony, and to being a habitual substance offender.

She was ordered to serve four years on community corrections - some combination of home detention, work release and day reporting - and seven years on probation after her release from prison.

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**June 16, 2011: Lafayette Journal and Courier**

## **Meth charges filed in Dayton house fire**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A methamphetamine lab and paraphernalia were found in the basement of a home that caught fire Friday in Dayton, court documents allege.

One of the home's leaseholders, William F. Wesner, 33, was charged Wednesday in Tippecanoe Circuit Court with dealing meth; possession of meth; information of an illegal drug lab; neglect of a dependent; and maintaining a common nuisance.

All of those counts are felonies.

Wesner also was charged with a misdemeanor count of possession of paraphernalia.

Sheffield Township firefighters were called to Wesner's home at 283 Washington St. about 6:30 p.m. Friday after neighbors called 911 to report an explosion, followed by a fire.

According to a probable cause affidavit, William Wesner and his wife, Brandy Wesner, were found outside when emergency responders arrived. Brandy Wesner had black soot on her face and arms. William Wesner had cuts to his back from breaking a window.

When confronted about the suspected meth lab, William Wesner allegedly made incriminating statements --

including that he was headed back to jail again, documents allege.

Items found in the basement included drain opener or sulfuric acid, a plastic bottle containing white and pink residue that tested positive for meth, a funnel with powder that tested positive for meth, and a burned container of salt.

Elsewhere in the home, investigators found marijuana, digital scales, white pills believed to be pseudoephedrine and an HCL generator.

Pseudoephedrine is an ingredient in some cold and sinus medication that is commonly used to cook meth. A HCL generator is any container, typically a propane tank, used to mix acid and salt to produce hydrogen chloride gas, an ingredient in meth production.

The neglect charge is due to Brandy Wesner's 13-year-old son being home at the time. He allegedly told investigators that he believed some drug dealing had been taking place.

The boy said it was the third fire at the home and that he hadn't been in the basement for nearly two years.

The fire itself appeared to have been caused by an accelerant in a glass Ball jar found in a back bedroom. The Tippecanoe County Arson Task Force was called to assist in the investigation.

The lead charge against William Wesner, dealing meth, is a Class A felony because of the home's proximity to a day care facility where 11 children had been when the fire broke out.

A Class A felony is punishable by 20 to 50 years incarceration.

He was being held Wednesday night in the Tippecanoe County Jail on a \$25,000 surety bond.

At the time of the fire, William Wesner was out on bond awaiting trial on a charge of possession of methamphetamine. Court records show that he is scheduled to plead guilty on June 24.

Jeff Dunscomb, a Dayton deputy town marshal, said Wednesday that Brandy Wesner left the home shortly after emergency responders arrived and has not been found.

As of Wednesday, she had not been charged in connection to the meth lab.

Brandy Wesner worked as a crossing guard in Dayton during the most recent school year, Dunscomb confirmed. She was hired by the police department.

**June 16, 2011: Lafayette Journal and Courier**

## **2 arrested after police get call from alert woman**

A concerned call that a Lafayette woman made to police last week has led to burglary, drug and weapons charges against two men.

Shawn K. Ledman, 36, and Justin A. Caudill, 20, both of Lafayette, were charged Wednesday in Tippecanoe Superior Court 2.

Their arrests came after a woman saw a man exit a vehicle on June 9 in the 800 block of Brown Street, then pull out a gun and check whether it was loaded.

It was shortly before 1 p.m.

That man is alleged to be Ledman.

According to a probable cause affidavit, that man and a second man were then seen possibly entering a nearby residence. Lafayette police arrived shortly after, and the two suspects gave chase on foot but were quickly caught near St. James school.

Ledman and Caudill are accused of breaking into two homes.

A bag dropped by one of them contained paperwork and pills from residents of a nearby apartment that had been ransacked.

The apartment's front door jamb also was broken, indicating that someone forced his or her way inside.

Both Ledman and Caudill were charged with burglary, theft and possession of a controlled substance.

Ledman also is charged with carrying a handgun without a license with a prior conviction and while on school property, possession of a syringe and resisting law enforcement.

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**June 14, 2011: WLFI TV**

## **Boy accused of arson has initial hearing Teen charged with four counts of arson**

LAFAYETTE, Ind. (WLFI) - A 14-year-old boy accused of setting fire to four Tippecanoe School Corporation school buses had his initial hearing Tuesday. The boy faces eight felony charges for the crime.

The teen is charged with four counts of arson and four counts of criminal mischief. He appeared before Tippecanoe Superior Three Judge Loretta Rush Tuesday morning.

Superior Three is Tippecanoe County's juvenile court.

The court doesn't release the names of juvenile suspects, and the prosecutor's office has not filed paperwork to waive the boy to adult court.

Around 2:20 a.m. on June 3, firefighters were called to the parking lot behind Wea Ridge Elementary School where they found two buses fully engulfed in flames.

Two other buses were also damaged. The juvenile will have another hearing on July 5.

**June 14, 2011: Lafayette Journal and Courier**

## **Lafayette man pleads guilty to fondling girl, 9**

A Lafayette man faces four to 16 years in prison for admitting that he had sexual contact with a 9-year-old girl in his care.

Brandon J. Wells, 36, pleaded guilty this morning in Tippecanoe Circuit Court to eight counts of child molesting, all Class C felonies. He's scheduled to be sentenced July 22 by Judge Don Daniel.

The charges against Wells stem from an investigation that began last September by the Lafayette Police Department. Charges were filed in October.

According to court documents, Wells is accused of repeatedly fondling the girl. She told investigators that this occurred when they showered together.

Under a plea agreement with the Tippecanoe County prosecutor's office, sentences for two of the charges Wells pleaded to must run consecutively, Deputy Prosecutor Elizabeth Goodrich said.

A Class C felony is punishable by two to eight years in prison.

**June 14, 2011: Lafayette Journal and Courier**

## **Youth faces judge in bus arsons**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A judge has ordered a mental health evaluation for a 14-year-old Lafayette boy accused of intentionally starting a fire that destroyed four Tippecanoe School Corp. buses earlier this month.

The teenager and his mother appeared before Judge Loretta Rush of Tippecanoe Superior Court 3, the county's juvenile court, on Tuesday morning.

He is now charged in juvenile court with four counts of arson, each a Class B felony, and criminal mischief, a Class C felony. Although his name was included in court documents, the Journal & Courier is not identifying him or his mom because the Tippecanoe County prosecutor's office has opted to not file paperwork asking that he be tried as an adult.

The teenager, who turns 15 next month, has no prior criminal history, which is one of the factors that Rush reviews when determining whether a juvenile should be waived.

He was being held in secure detention in a juvenile facility outside Tippecanoe County.

Why the teenager allegedly started the fire is unclear. But more information could be released during a fact-finding hearing scheduled for July. As of Tuesday, no one else has been arrested or charged.

Firefighters were called to Wea Ridge Elementary School at South 18th Street and County Road 430 South about 2:30 a.m. June 3, where four of 12 buses parked behind the school were ablaze.

The buses -- the newest in the Tippecanoe School Corp. -- cost the district nearly \$500,000 in all.

The 14-year-old was arrested by the Tippecanoe County Sheriff's Office later the same day.

During Tuesday's brief court appearance, Rush ordered the boy's mother to enroll in an intensive parenting program before the July hearing. The woman, who is a single mother of four, had admitted that she went to bed on June 2 or 3 before her 14-year-old son did.

The fact that the boy was allegedly up at 2 a.m. without his mother's knowledge was a significant problem, Rush said.

She also asked the woman to try and locate the boy's father, whose whereabouts are unknown, according to court documents.

Rush ordered the mental health evaluation based on the boy's mental health screening, done when he was initially taken to the juvenile intake center at the Tippecanoe County Jail following his arrest.

She said the screening indicated a "number of caution" marks or signs.

According to Journal & Courier archives, the boy attended Wea Ridge Elementary School. He was interviewed in a March 2008 story as a fourth-grader.

The family lives in the Benjamin Crossing neighborhood off Concord Road, which is within TSC's boundaries. Benjamin Crossing is about 1 1/2 miles from Wea Ridge Elementary School.

Prior to Tuesday's hearing, the boy sat handcuffed on a bench outside Superior Court 3 with his head bowed and hair falling in his face. He resumed that position once in the courtroom.

TSC transportation director Kevin Neafie said the district is waiting for the insurance company to finish its investigation so the district can begin replacing them.

He said district officials expect those responsible for the fire to be held accountable.

"Fourteen or 40, accountability has to stand here," Neafie said. "They've created an arson, so someone has to pay the price for this."

Neafie said that since the newly purchased buses had yet to be used, he is hopeful the district will receive 100 percent coverage.

-- Contributing: Mikel Livingston/[mlivingston@jconline.com](mailto:mlivingston@jconline.com)

**June 14, 2011: Lafayette Journal and Courier**

## **More charges in fatal hit-and-run case**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man consumed an estimated seven beers and two shots of a concoction called "liquid cocaine" in the hours before he left the scene of a crash that killed a Wea Ridge Middle School student, new charges against him allege.

Robert V. Kirts II, 42, has been in the Tippecanoe County Jail since Feb. 28 -- the day after 15-year-old Ebony Knight was struck by a passing vehicle while the girl and a cousin were walking on Indiana 25 West near Beck Lane.

Until this week, Kirts had only been charged with failure to stop after an accident resulting in death, a Class C felony.

The Tippecanoe County prosecutor's office added four more counts -- one of them a harsher Class B felony -- on Tuesday, based upon witnesses who saw Kirts on Feb. 27.

Those charges are reckless homicide; operating a vehicle while intoxicated causing death; OWI while having a prior conviction causing death; and failure to give notice of an accident resulting in death.

It was welcome news to Knight's cousin, Kameka Millsap of Lafayette, who lived with Knight. The family's home is less than a block from where Knight was killed.

"We didn't know anything about (the added charges), but I think that's very good," she said. "He's getting punished for what he did, because every day here we're dealing with a loss, and that's not fair."

Millsap said she always believed Kirts deserved more severe charges. She and other family members attended Kirts' initial hearing and told the Journal & Courier afterward that they were disappointed Kirts was charged only with leaving the scene.

The family continues to cope with Knight's death.

"I guess we've been making it," said Millsap, who was not the cousin walking with Knight the night she died.



Millsap said she looks forward to attending Kirts' next day in court.

According to Knight's family and police investigators, Knight and her 13-year-old cousin left home about 7:45 p.m. Feb. 27 and walked to the nearby Walgreens on Old U.S. 231 South to buy school supplies.

They were walking home on the north shoulder of Indiana 25 West -- Knight in the paved shoulder and her cousin in the dirt, farther from the road, said Sgt. Max Smith of the Lafayette Police Department -- when Knight was hit from behind.

This occurred in front of Casey's General Store about 8:35 p.m. A man pumping gas there called 911 after hearing the crash and seeing a sport utility vehicle accelerate "very rapidly" from the scene.

Kirts' arrest came the following day, when Lafayette police Officer Matt Wilkerson drove through neighborhoods on the city's south end to try and find the suspect vehicle.

Wilkerson then came across a Jeep parked in front of Royal Oaks Estate Mobile Home Park, off West County Road 275 South, that had damage to its hood and grill consistent with the crash investigation.

Kirts came outside as Wilkerson was checking the Jeep's vehicle identification number.

According to a probable cause affidavit, Kirts allegedly admitted to hitting "something" and hearing a "thud" the prior evening on Indiana 25 West and Old U.S. 231 South and also to reading a news story Monday morning on the hit-and-run crash that killed Knight.

Kirts claimed he thought he struck an animal.

Tuesday's new charges came as part of a joint investigation by Lafayette police and Officer Sanford Swanson of the Indiana State Excise Police.

Kirts initially told police that he had gone the night of Feb. 27 to Speedway on Old U.S. 231 to buy cigarettes. But officers could not find him on surveillance video from the gas station.

His wife reportedly told investigators that Kirts had gone to Hop's Shawnee Tavern, off Union Street in Lafayette, on Feb. 27 to watch a televised race. A NASCAR race took place in Phoenix that day.

Swanson then went to Hop's and spoke with a bartender who remembered serving a regular customer known as "Happy" -- Kirts' alleged nickname -- four beers between 4 and 6:30 p.m. She remembered the time because the bar closed at 6:30 p.m. when the race ended.

The bartender further told Swanson that she saw the hit-and-run suspect's photo and believed it was "Happy."

Lafayette police Officer Matt Devine then spoke with a woman who said she drank with Kirts at Champs Bar on Earl Avenue on Feb. 27. He reportedly had three beers and two shots of "liquid cocaine."

Liquid cocaine is a strong mixed liquor drink.

That woman's statements were corroborated by employees at Champs, who recalled seeing Kirts show up around 3 p.m. and then again around 6:30 p.m.

Kirts was not immediately charged with OWI because the driver left the scene of the crash.

Indiana law requires a blood test be drawn within three hours for any crash involving death or bodily injury, Smith, the police sergeant, said Tuesday.

Prosecutor Pat Harrington told the Journal & Courier in March that more charges could be filed if new evidence or witnesses came forward. That's what happened in this case.

Kirts' driver's license also was suspended at the time of the crash.

The SUV that struck Knight was not in the travel lane when she was hit.

Kirts is currently scheduled to stand trial in August, but that will now likely change. A new arrest warrant -- with attached \$12,500 surety and \$1,250 cash bonds -- was issued Tuesday.

Contributing: Justin Mack/[jmack@jconline.com](mailto:jmack@jconline.com)

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**June 7, 2011: WLFI TV**

## **Man charged for molesting 10-year-old Allegedly molested girl during overnight visits**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces seven felony charges for allegedly molesting a 10-year-old girl in his care.

61-year-old Charles Stephen Day was charged in Tippecanoe Superior Court with six counts of child molesting and an additional count of child solicitation, all felonies.

According to court documents, Day would have inappropriate contact with the girl when she had overnight visits at his home. The documents say he would touch her in private areas, force her to touch his privates, ask her to put her mouth on his privates and have anal sex with her. They say he would then tell the girl it was "their little secret" and give her \$20.

The girl told police that the inappropriate behavior started when she was 10 and happens most of the time when she spends the night with Day. She also said while Day was molesting her he would kiss her on the lips and tell her he loved her.

According to the documents, Day told the girl's father that all he has ever done was touch the girl with the back of his hand to see if she wet the bed.

**June 7, 2011: Lafayette Journal and Courier**

## **Car lot employee pleads to forging names**

An employee at a Lafayette used car dealership pleaded guilty Monday to two counts of counterfeiting, admitting that he forged customers' signatures to obtain auto loans.

James T. Gerber, 57, is scheduled to be sentenced July 5 by Judge Don Daniel of Tippecanoe Circuit Court.

Both counts to which he pleaded are Class D felonies, punishable by six months to three years in prison.

Gerber, 57, and his boss, Steven M. Firestone, were arrested in October following an investigation by the Lafayette Police Department.

Firestone is the owner of Firestone Auto Sales at 1501 Schuyler Ave.

During Monday's hearing, Gerber said he was instructed by Firestone to forge the signatures and that he gained nothing by following Firestone's orders.

"I did not even receive commission for selling the cars," he said.

Gerber was initially charged with four counts of counterfeiting, but two of the counts could be dismissed under a plea agreement with the Tippecanoe County prosecutor's office.

The two counts represent two incidents that occurred in August 2008.

A plea hearing for Firestone, 56, also had been scheduled for Monday, but instead, a new attorney entered an appearance on his behalf.

He's now scheduled to stand trial in October.

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**May 28, 2011: Lafayette Journal and Courier**

## **Wife finds cocaine in Lafayette home; husband arrested, police say**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette woman found what appeared to be cocaine while putting away clothes away at home and called police -- resulting in the arrest of her husband, court documents allege.

The husband, Arturo Fuentes, 26, of Lafayette, has been charged in Tippecanoe Superior Court 1 with dealing cocaine, a Class A felony, and possession of cocaine, a Class C felony.

He was being held Friday without bond in the Tippecanoe County Jail, jail staff said. U.S. Customs and Immigration Enforcement also placed a hold on him, meaning he could be deported if convicted on the cocaine charges.

According to a probable cause affidavit, Fuentes' wife called the Lafayette Police Department on May 20 and gave officers consent to search the home. She further directed them to a closet in their master bedroom.

In that closet, officers found a shopping bag placed inside a jacket hood that contained several small bags of what appeared to be cocaine. Those bags weighed a combined 172 grams.

Cash also was found in a jacket pocket.

Officers found another shopping bag under a mattress in the bedroom. That bag contained 256 grams of a substance that tested positive as cocaine.

Handguns were found in an armoire in the bedroom and in a spare bedroom.

Fuentes' arrest came after he drove by the house while officers were still searching it, and one of the officers followed and then stopped Fuentes' truck. He allegedly had a small plastic bag in his mouth that contained 11 grams of cocaine.

Another bag containing cocaine was found in the truck's center console.

Fuentes reportedly told investigators that the drugs were "for him and his friends to party with" and that his wife did not know about it.

The charges against him also include several aliases: Arturo Fuentes-Milanes, Hector Lopez and Mauricio Lopez. Based on his driver's license number, Fuentes appears to be from Mexico.

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**May 24, 2011: Lafayette Journal and Courier**

## **Smuggled cocaine, marijuana discovered during Tippecanoe County Jail book-in**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man had cocaine and marijuana hidden in his rectum when he was booked into the Tippecanoe County Jail on Saturday, court documents allege.

The man, Ronald S. Maberry, 31, was charged Monday in Tippecanoe Superior Court 1 with possession of cocaine, a Class C felony, and possession of marijuana, a Class A misdemeanor.

Maberry's arrest came after Lafayette police were called about 1 a.m. Saturday to Village Pantry on South Fourth Street to speak with a woman about a domestic battery complaint.

That led officers to a home on South Third Street.

According to court documents, Maberry was visiting that address. He was arrested on suspicion of visiting a common nuisance after officers found 32 grams of marijuana inside.

Maberry was being booked into jail when a corrections officer found a small white bag allegedly in Maberry's rectum.

Inside that bag were two smaller bags -- one allegedly contained 3.17 grams of cocaine; the other had a small amount of marijuana and nine rocks of cocaine that amounted to 2.86 grams.

Maberry was booked into the Tippecanoe County Jail under an alias, Ronald Mayberry. He remained held Monday afternoon on a \$7,500 surety and \$750 cash bond.

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**May 23, 2011: Lafayette Journal and Courier**

## **16 years for man convicted second time for beating child**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man who previously spent time in prison for beating his toddler-aged son is headed back behind bars for the same crime, this one involving his infant son.

James A. DeJaynes, 37, was sentenced today to 16 years in prison and two years on supervised probation after pleading guilty to battery on a child causing serious bodily injury, a Class B felony.

Judge Don Daniel of Tippecanoe Circuit Court also ordered DeJaynes to complete anger management and undergo a mental health evaluation.

The charge stems from the hospitalization of DeJaynes' 3-month-old son last year. On Dec. 7, the boy's mother took him to the emergency room at a Lafayette hospital.

Medical staff found a fresh spiral arm fracture, along with broken ribs that appeared to have been inflicted a week to 10 days earlier.

Tippecanoe County Prosecutor Pat Harrington said DeJaynes had been watching the boy that day while his

girlfriend - the boy's mother - was at work.

DeJaynes' wrote a letter to the court, admitting that he became irritated with the boy's crying. He removed the 3-month-old from a swing and squeezed his upper arms.

Harrington said DeJaynes had realized that something appeared wrong, but rather than taking the boy to the hospital himself, he waited for the boy's mother to arrive home.

The boy's mom testified today and asked Daniel to hand down the maximum punishment. DeJaynes' combined sentence is two years shy of the maximum for a Class B felony.

Indiana Department of Correction records show that DeJaynes was convicted in 2002 in Newton County for aggravated battery. He received a 12-year sentence.

Harrington said that involved DeJaynes' 3-year-old. The toddler suffered a subdural hematoma - bleeding in the brain - when DeJaynes shoved him against a wall, he said.

DeJaynes had been off probation just eight months in that case when he was arrested for the most recent charges.

The sons have different mothers, Harrington said.

DeJaynes is not allowed to have contact with the 3-month-old and his mother.

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**May 20, 2011: WLFI TV**

## **Man charged for battering child Allegedly squeezed wrist to the point of bruising**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man has been charged with a felony for allegedly battering an 11-year-old girl.

20-year-old Robert Lewis Carter, Jr., was charged in Tippecanoe Superior II with one count of battery on a child Friday.

According to court documents, Carter was playing outside with an 11-year-old girl, when his roommate heard her scream and she told Carter to "let go." The documents say the girl told police that Carter squeezed her wrist and refused to let go until she bit his arm.

The girl was treated at a hospital for swelling and bruising on her wrist.

Court documents say Carter admitted he held the girl's wrist after she attacked him while they were play fighting.

**May 20, 2011: Lafayette Journal and Courier**

## **Online fraud scheme sends woman to prison**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former Lafayette woman was sentenced today to six years in prison for an Internet scheme in which she pocketed more than \$15,000 by posting exotic birds and a monkey for sale but never actually sending them to buyers.

Angela H. Tanksley, 41, told Judge Thomas Busch of Tippecanoe Superior Court 2 that she used to legitimately sell exotic birds that she kept as pets. But the Crawfordsville woman was not able to explain what prompted her crimes.

"I honestly don't have a reasonable excuse. There is no excuse," Tanksley testified, sobbing. "I am remorseful. I am ashamed. ... The victims, my family, my friends — they're hurting because of me, my stupidity and my wrong choices."

Busch, however, said he doubted the sincerity of her remorse. He ordered her to serve two years on probation after her release from the Indiana Department of Correction.

Combined, that was the maximum sentence that Tanksley could have received after pleading guilty a year ago to corrupt business influence, a Class C felony. The sentence matched the one recommended by Deputy Prosecutor Elizabeth Goodrich.

Tanksley admitted that she advertised birds for sale online between April 2007 and July 2008, then cashed cashier's checks and money orders that were sent as payment, despite never delivering them.

She further admitted to not providing refunds when buyers asked for their money back.

Charges were filed against Tanksley in April 2009 following investigations by the Indiana State Police, Lafayette Police Department and Tippecanoe County Sheriff's Office.

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**May 18, 2011: WLFI TV**

## **Statewide gang network has county ties Agencies team up to get gangs out**

- Joe LePage

LAFAYETTE, Ind. (WLFI) - A first-of-its-kind statewide gang prevention program kicked off in Tippecanoe County Wednesday morning.

Its goal is simple: get gangs out of Indiana.

"We are putting up the sign that 'You are not welcome in this county.' We are doing everything in our power to prevent you from establishing yourself in this community," said West Lafayette Mayor John Dennis.

Several different agencies, including the Mayors of Lafayette and West Lafayette, are coming together to launch the Indiana Gang Network Pilot Program.

"We like being leaders," said Lafayette Mayor Tony Roswarski. "We like being pilot projects. We like being the place where we are trying new things and helping to set that standard."

In 2008, Tippecanoe County Prosecutor Pat Harrington rolled out Project Safe Neighborhood to warn the public about increased gang activity. That information helped lead to the launch of the Indiana Gang Network. Harrington said it will serve as a one-stop place for law enforcement.

"Police need this information real-time," said Harrington. "They are answering a 911 call for service from the public. They do not have the luxury of sitting at their laptops, waiting for 20 or 30 minutes for other programs to change and reboot, then figure out which program has the correct information."

ISP Captain and Program Manager Scott Beamon said the Indiana Gang Network is an important step to help get

gang activity out of the state.

"Hopefully we will be able to, through the pilot program, expand on that and come up with more creative ways of doing it."

Organizers said the goal is to better identify gangs and gang activity in the hopes of keeping this type of organized crime out of the state

State Senator Brandt Hershman said it took about a year to bring everything together. He says the \$300,000 to fund the program came from the State Police's annual budget.

To learn more about the Indiana Gang Network, visit [www.in.gov/iifc/](http://www.in.gov/iifc/)

**May 18, 2011: Indiana State Police Press Release**

## **ISP: Tippecanoe County Picked as Pilot For Gang Intelligence Sharing State Sen. Hershman is driving force in securing high-tech funding; Prosecutor Harrington, Sheriff Brown to develop model systems for other departments**

Tippecanoe County will soon be home to a pilot project aimed at helping law enforcement identify and police criminal gang activity across Indiana, state officials announced today.

"Violence and other criminal activity associated with gangs and would-be gangs are troubling problems for law enforcement agencies at all levels - local, state and federal - and the citizens we serve," according to Indiana State Police Supt. Paul Whitesell. "Public safety agencies are constantly collecting intelligence related to gang members and their activities. Our challenge sometimes is in connecting the dots and sharing information among jurisdictions in order to affect arrests, aid prosecutions and prevent further victimization."

With the help of State Sen. Brandt Hershman (R-Buck Creek) and support of Tippecanoe County Sheriff Tracy Brown, Prosecutor Pat Harrington, and Mayors Tony Roswarski and John Dennis that scenario is likely to change soon, according to Whitesell.

"My thanks to Senator Hershman for understanding the threat gang activity presents to our community safety, and being proactive in addressing a key component to the successful interdiction of their growth," Harrington said. "Gang members are highly mobile, moving from one community to another to further their criminal conduct. This project highlights an area that confronts law enforcement which is the identification, deterrence and effective prosecution of gang members. We can develop a platform for this information to be 'mobile' from one police agency to another regardless of whether the gang member is in Tippecanoe County or any other Indiana county."

Harrington said the project is a result of the Tippecanoe County Project Safe Neighborhood Anti-Gang Response Initiative that works to deter and prosecute gang offenders.

"I look forward to partnering with Sheriff Brown in the successful development and implementation of the project," Harrington said.

As chair of the Indiana Senate Committee on Tax and Fiscal Policy and member of the Senate Committee on Appropriations, Hershman took an interest in further developing the state's INGangNetwork, a data gathering and sharing effort managed by Indiana Intelligence Fusion Center (IIFC) - a post-9/11 security command located in Indianapolis.

"Our IGN receives and collates gang-related information from many sources and then uploads the information into a searchable database accessible to all police and sheriff's departments statewide," Whitesell said. "To achieve the fullest and most effective use of such a system requires acquisition of additional and sometimes costly computer hardware, software and web-driven capabilities. Senator Hershman worked with the Indiana State Police and local officials to secure a \$300,000 appropriation to be funded over two years. This effort will help take our

gang information-sharing project to the next level."

Brown and Harrington will collaborate with the ISP to develop a pilot program to expand the efficiency and effectiveness of gang intelligence data collection to benefit local law enforcement agencies across the state.

"The ultimate goal of the Tippecanoe County pilot program is to develop systems and procedures that once identified and implemented, tested and perfected, can be replicated by other law enforcement agencies within Indiana and across the United States," said Whitesell. "Tippecanoe County officials are forward thinking and joining ranks to make not only their own community safer, but others as well."

**May 18, 2011: WXIN-TV FOX59**

## **Tippecanoe County picked for gang tracking pilot program Tippecanoe County is taking center stage in the efforts to stop gang violence throughout Indiana. The county was chosen to be the first to take part in a gang tracking pilot program put on by the Indiana State Police.**

Lafayette, Ind.— Tippecanoe County is taking center stage in the efforts to stop gang violence throughout Indiana. The county was chosen to be the first to take part in a gang tracking pilot program put on by the Indiana State Police. They'll work with local and federal authorities to create a way to share data on gang members to law enforcement agencies across the state.

State Senator Brandt Hershman (R) said Tippecanoe County was a logical choice.

"Tippecanoe County is facing some of the same challenges that communities across the state of Indiana are with respect to the growth of gang-related violence," Hershman said.

\$300,000 from the ISP general operating budget will be used to help fund the program.

**May 18, 2011: Lafayette Journal and Courier**

## **Repeat offender gets 55 years in cocaine deals**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man who was recently released from prison for a convenience store robbery is headed back behind bars following his conviction for dealing cocaine.

Michael T. Hackworth, 60, was sentenced Wednesday to 55 years in the Indiana Department of Correction by Judge Thomas Busch of Tippecanoe Superior Court 2.

That will be followed by 10 years on probation.

Hackworth was found guilty of two counts of dealing cocaine, a Class A felony; one count of possession of cocaine, a Class B felony; one count of dealing a legend drug, a Class D felony; and resisting law enforcement, a Class A misdemeanor, following a three-day jury trial in early April.

Busch then found Hackworth guilty of being a habitual offender - a non-suspendable enhancement that accounted for roughly half of Wednesday's sentence.

Hackworth told Busch that he plans to appeal the conviction and sentence. Because Hackworth is considered



indigent, Busch appointed Lafayette attorney Dan Moore to represent him.

The charge stems from an investigation last year by the Tippecanoe County Drug Task Force and multiple purchases undercover officers made of cocaine.

Hackworth's habitual offender status stems from convictions dating to 1975 in Cook County, Ill., where he used to reside. They include convictions for burglary, armed robbery and possession of heroin with intent to deal.

Hackworth was convicted in 2004 in Tippecanoe County for a March 30, 2003, robbery at Village Pantry, 1008 S. Fourth St. He was sentenced to 12 years in prison, but the Indiana Department of Correction website shows that he was released in July 2009.

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**May 14, 2011: Lafayette Journal and Courier**

## **West Lafayette woman gets 15 years on Ecstasy, coke counts**

A West Lafayette woman was sentenced Friday to 15 years in prison for selling Ecstasy pills and cocaine from her home at Ritchfield Apartments.

When Desma M. Brown, 35, was arrested in April 2010, she had been watching her 3-month-old grandchild.

Brown pleaded guilty in March in Tippecanoe Superior Court 1 to dealing Ecstasy, a Class A felony; dealing cocaine, a Class A felony; and neglect of a dependent, a Class D felony.

The charges stemmed from at least five purchases -- 10 Ecstasy pills and an "eight ball" or 3.5 grams of cocaine, among them -- made by a confidential informant.

At the time, the West Lafayette Police Department's narcotics unit also was focused of stemming Ecstasy use by Purdue University students.

According to court documents, items recovered from Brown's apartment off Yeager Road included a can with a false bottom -- found in a diaper bag -- that had plastic bags with Ecstasy; plastic bags containing cocaine that were hidden between mattresses; and partially burned marijuana joints.

Brown's family members and friends packed the Superior 1 courtroom for Friday's hearing.

Judge Randy Williams also sentenced Brown to six years on community corrections and 10 years on probation.

She received six months credit -- doubled to a year for good behavior -- for completing her GED while in Tippecanoe County Jail.

**May 14, 2011: Lafayette Journal and Courier**

## **Mom involved in pursuit charged with neglect**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Four Lafayette teenagers involved in a police pursuit and crash Tuesday night on Eisenhower Road had consumed tequila and smoked a marijuana blunt beforehand, court documents allege.

One of the passengers, 19-year-old Kristen E. Cobbs was charged Friday in Tippecanoe Superior Court 1 with

neglect of a dependent, a Class D felony, for placing her 3-year-old son, Uriel C. Cobbs, in danger.

The boy was sitting in a booster seat in the back seat of the crashed vehicle. He was not properly restrained.

Cobbs was being held Friday afternoon in Tippecanoe County Jail on a \$10,000 surety bond.

The crash took place about 7:30 p.m., shortly after a Tippecanoe County sheriff's deputy tried to stop a black Honda on Creasy Lane for speeding. The driver, 17-year-old Michael A. Salazar, allegedly refused to stop.

The Honda crashed after striking a guard rail just west of the Eisenhower Road bridge.

No one was seriously injured, but the Tippecanoe County's multi-agency Fatal Alcohol Crash Team was called to investigate. Detective Scott Galloway of the Lafayette Police Department, who's on FACT, said Cobbs' son was placed in foster care.

Cobbs had custody of the boy, and his father is believed to be in North Carolina, Galloway said.

According to a probable cause affidavit, Salazar and Cobbs made incriminating statements that included taking shots of tequila and smoking marijuana at Salazar's home Tuesday afternoon.

The three teenage passengers -- Cobbs, 19-year-old Taylor Roden and 17-year-old Jony E. Dorado -- are accused of sharing a marijuana blunt while Salazar was driving.

As of Friday afternoon, charges have not been filed against Salazar. The allegations against him would not be an automatic waiver from juvenile court to adult court, said Chuck Hagen, a Tippecanoe County deputy prosecutor who handles juvenile cases.

Hagen said the case against Salazar is pending.

Galloway said the crash investigation still is ongoing

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**May 13, 2011: Lafayette Journal and Courier**

## **Phone records help pin charges on suspected burglars**

Pings to cell phone towers in Lafayette helped investigators link three Chicago-area men to a burglary here last summer, court documents allege.

John Miller Jr., 29, of Chicago, John G. Miller, 26, of Hammond, and Tony George, 23, of Hammond, are accused of pretending to be city employees and offering to trim trees on a Lafayette man's property for free -- allegedly as a ruse to gain access to the man's home.

They were charged Wednesday in Tippecanoe Superior Court 1 with burglary, residential entry and theft. All three counts are felonies.

Detective Mike Humphrey of the Lafayette Police Department said Miller Jr., Miller and George were initially arrested on Aug. 4 for theft, shortly after the burglary. He said they will be rearrested on warrants because the charges include additional counts.

The burglary took place at a home on North 27th Street.

According to a probable cause affidavit, the victim told investigators that he was outside doing yard work when he was approached by one of the suspects about having his trees trimmed.

While then talking to another suspect, the other two men were not in the victim's line of vision.

The victim later found a gouge in a hallway wall and found that the safe from his bedroom was missing. The safe contained a coin collection, some cash and personal paperwork.

About 90 minutes later, by chance, a Lake County police detective stopped a truck matching the suspects' truck on Interstate 65 for erratic driving. The detective became suspicious because all three men gave different stories of where they had been earlier.

A search of the truck turned up the victim's safe.

The men allegedly claimed that they were never in Lafayette. But investigators were able to get a search warrant to examine two of their cell phones.

Sean Leshney, an investigator with the Tippecanoe County prosecutor's office, reviewed cell tower records, which showed George's phone pinging to towers along I-65 South, then within Lafayette and near the victim's home.

Miller Jr.'s cell phone records showed the same path.

Humphrey, the detective, said it's unclear why the suspects chose Lafayette.

Published telephone listings for Miller Jr., Miller and George could not be found to reach them for comment. Tippecanoe County court records do not indicate whether they've hired or been appointed attorneys.

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## **May 11, 2011: Lafayette Journal and Courier EDITORIAL**

### **Harrington avoids state lab's errors**

If you can't trust the messenger, then you can't trust the message.

That simple truth has far-reaching ramifications in a courtroom, where it is the burden of prosecutors to prove suspects guilty beyond a reasonable doubt.

Reasonable doubt isn't difficult to create. For example, during the 1995 trial of O.J. Simpson for murder, attorneys asked L.A. police officer Mark Fuhrman if he ever used racial slurs. Fuhrman said no, but evidence later indicated he had frequently used racial slurs.

Fuhrman's vocabulary had nothing to do with the evidence he collected as a detective at the crime scene, per se. But it had everything to do with whether jurors trusted him to be truthful. Simpson's attorney created reasonable doubt by showing Fuhrman as less than honest.

Fuhrman became an embarrassment to the L.A. Police Department and to prosecutors who had relied upon his testimony.

Closer to home, the Indiana State Department of Toxicology has become an embarrassment after audits indicated as many as 10 percent of its blood tests in criminal marijuana cases were wrong.

At worst, the lab will cause some criminal cases to be reversed or retried.

For Tippecanoe County Prosecutor Pat Harrington, the audits were enough for him to sideline the Department of Toxicology for the county's testing of blood for criminal cases, such as operating a car while intoxicated or impaired.

Harrington has contracted with AIT Laboratories in Indianapolis.

While the Department of Toxicology provided free testing for Indiana counties, AIT will charge between \$125 and \$185 for tests. The expense will be paid from fees collected in the county's diversion programs, so it will not come out of taxpayers' pockets. Still, that's money siphoned from other law enforcement purposes.

Harrington is removing the chance of creating reasonable doubt in jurors' minds over test results, and he's ensuring the integrity of criminal cases prosecuted in Tippecanoe County.

Meanwhile, the audits continue at the Indiana State Department of Toxicology.

Officials deserve credit for recognizing a problem at the Department of Toxicology and starting an audit. Even if the findings are embarrassing, the audit is the first step to correcting the problem and rehabilitating the process that so many counties relied upon for testing in criminal cases.

It might take a year or two for the Department of Toxicology to restore faith in its testing results. Until then, we expect those counties that continue to use the department's services will face some daunting courtroom questions of the test results.

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**May 10, 2011: WLFI TV**

## **Men face felonies after shots fired Both suspects charged with six felonies**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Two men suspected of firing shots early Monday morning in a Lafayette neighborhood have each been charged with six felonies.

21-year-old Maurice Gray, Jr., and 24-year-old Corey Royster were charged Tuesday in Tippecanoe Superior Court.

They each face six counts, including:

- dealing cocaine
- possession of cocaine
- dealing marijuana
- possession of marijuana
- possession of a schedule IV controlled substance
- maintaining a common nuisance.

According to court documents, police were called to the Old Payless store on Old 231 South for a report of shots fired around 1:50 a.m. Monday. While on the scene, officers heard additional gun shots, which they believed to be coming from a nearby apartment complex. When they went there, they found Gray and Royster leaving an apartment building.

The documents say police later executed a search warrant in Royster's apartment, where they found two guns, marijuana, crack cocaine, and a bottle of Xanax tablets.

**April 10, 2011: Lafayette Journal and Courier**

## **Shots fired lead to charges for drugs**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Gunshots that were fired early Monday outside a south Lafayette apartment complex have led to criminal charges against two men.

No injuries were reported.

Maurice D. Gray Jr., 21, and Corey Royster, 24, both of Lafayette, were charged today in Tippecanoe Superior Court 1 with dealing cocaine; possession of cocaine; dealing in marijuana; possession of marijuana; possession of a controlled substance; and maintaining a common nuisance.

All of the counts are felonies.

Gray and Royster were each being held this afternoon in the Tippecanoe County Jail on a \$60,000 surety bond, jail employees said.

The two men were arrested after officers were called about 1:50 a.m. Monday to Old U.S. 231 South and Beck Lane for a report of shots fired. Upon arrival, officers then heard shots coming from an apartment complex at 2807 S. Beck Lane.

Gray and Royster were standing outside.

According to a probable cause affidavit, Gray is suspected of firing a .40 caliber Smith and Wesson handgun into the ground "to try out the gun." Eight shell casings were found.

The Smith and Wesson and a 9mm Ruger firearm were found in Gray's apartment during a search. That's also when investigators found alleged crack cocaine, marijuana and Xanax tablets in various locations.

The drugs were reportedly purchased in Gary.

Lafayette police had originally reported that Royster is from Chicago. His address is listed as 2807 Beck Lane - Gray's address - on court documents.

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**April 27, 2011: Lafayette Journal and Courier**

## **Wrong-way driver charged in fatal crash on I-65 ramp**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Criminal charges have been filed against a Lafayette man who drove the wrong way on an Interstate 65 exit ramp last fall, causing a two-vehicle crash that fatally injured his passenger.

Dustin C. Stevens, 28, had traces of marijuana in his system at the time of the Oct. 2 wreck that killed 30-year-old Brooke C. Adams, court documents allege.

He is charged in Tippecanoe Superior Court 2 with operating a vehicle while intoxicated with a controlled substance in his blood causing death, and operating a vehicle while intoxicated causing death.

Those two counts are felonies.

Stevens also is charged with misdemeanor counts of operating while intoxicated and operating a vehicle while having a controlled substance in the body.

A warrant was issued Tuesday for his arrest. Stevens had not been booked into the Tippecanoe County Jail as of

5:30 p.m.

Prosecutor Pat Harrington said his office received test results from a sample of Stevens' blood last week from the Indiana State Toxicology Lab.

A home telephone number could not be found Tuesday to reach Stevens for comment.

The crash occurred on the northbound I-65 exit ramp to Indiana 26. The passenger side of a 1992 Pontiac Bonneville driven by Stevens collided with a semitrailer that was leaving the interstate.

Adams suffered massive head injuries, Indiana State Police previously reported.

According to a probable cause affidavit filed with the charges, Stevens allegedly admitted to smoking marijuana five days before the crash.

Indiana law requires only that metabolites be present in a defendant's system to meet charges for operating while intoxicated with a controlled substance causing death. That lead charge against Stevens is a Class B felony, punishable by six to 20 years in prison if he is convicted.

Stevens told investigators that Adams was his fiancée, but that could not be confirmed Tuesday by law enforcement or an attorney representing Adams' father in a civil lawsuit.

Lebanon attorney Tony Patterson filed the complaint in January against Stevens in Tippecanoe Superior Court 1 on behalf of Adams' estate. Her father is the estate's representative.

Patterson said Tuesday that the lawsuit stems from the crash that killed Adams.

At the time, Stevens was cited only for driving the wrong way. That evening, Stevens told investigators that they had gone to Frankfort to buy "fake weed."

The semi driver had flashed his truck's lights at Stevens, but the car still continued up the exit ramp.

After Stevens is arrested, bond will be set at \$17,500 surety.

**April 27, 2011: Lafayette Journal and Courier**

## **Sentence upheld for absent drug defendant**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A cocaine conviction will stand against a Chicago man who failed to show up at his jury trial in Tippecanoe County and subsequent sentencing hearing, the Indiana Court of Appeals ruled Tuesday.

Myron James was one of two defendants tried in absentia, or without being present, in July 2008 in Tippecanoe Superior Court 1. He was found guilty of conspiracy to deal cocaine, a Class A felony, and sentenced to 45 years in prison.

Tippecanoe County Prosecutor Pat Harrington said Tuesday that James was not arrested until nearly two years later, on March 23, 2010. Information on where James was found was not immediately available.

James, now 36, argued on appeal that Superior Court 1 Judge Randy Williams erred by sentencing him in absentia because no evidence was presented to show that James' nonattendance was knowing and voluntary.

The appellate court, in a unanimous ruling, disagreed -- noting that James communicated with his attorney prior to the trial and after the trial's first day, but he still did not show.

"Following James' voluntary absence from trial, his continued absence at sentencing constituted a voluntary waiver of his right to be present at sentencing," Judge James Kirsch wrote.

"To find otherwise would be to permit defendants to delay sentencing or to evade indefinitely ... simply by keeping their whereabouts unknown to the courts."

The charge against James stemmed from an October 2007 investigation by the Lafayette Police Department's Street Crimes Unit at the former Bridgeway Apartments at Greenbush Street and Shenandoah Drive.

Officers bought crack cocaine, then got a search warrant for one of the apartments. One of James' co-defendants was seen walking out of the bathroom, where water was overflowing from the toilet and crack cocaine was found in the bowl.

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**April 21, 2011: Lafayette Journal and Courier**

## **Muffler shop owner with gang ties gets 22 years**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man with admitted gang affiliations was sentenced Wednesday to 22 years in prison for selling cocaine to an undercover police officer.

Pio Avalos Jr., 30, pleaded guilty in January in Tippecanoe Superior Court 1 to two counts of dealing cocaine, a Class A felony. This occurred just three days before he was scheduled to stand trial.

Avalos' prison time will be followed by two years on community corrections -- some combination of work release, home detention and day reporting -- and eight years on probation.

Tippecanoe County Prosecutor Pat Harrington said Avalos admitted to investigators that he was the "adviser" to the "Inca" of the Latin Kings in Tippecanoe County.

The Inca is the person who heads a Latin Kings gang in a certain region, Harrington said. The adviser is second-in-command.

The charges against Avalos stemmed from an investigation by the Tippecanoe County Drug Task Force. He was accused of selling cocaine on two occasions in August and September 2009.

The 22 grams of cocaine had a street value of about \$1,200.

Harrington said Avalos owned a muffler shop on Teal Road near Sequoya Drive.

Avalos' criminal history includes a conviction as a juvenile in 1995 for murder in Cook County, Ill.

A native of Chicago, he moved to Lafayette seven years ago, Harrington said.

Avalos' co-defendant, Rosenberg Pineda, 22, pleaded guilty to similar counts last month and is scheduled to be sentenced May 12

**April 21, 2011: Lafayette Journal and Courier**

## **Charges say man attacked woman, then was stabbed**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Criminal charges have been filed against a Tippecanoe County man accused of assaulting a woman who then stabbed him repeatedly with a screwdriver to break away.

Michael E. Fultz, 36, of Buck Creek, was charged this week in Tippecanoe Superior Court 2 with battery resulting in bodily injury, criminal confinement and strangulation. All three counts are felonies.

The charges stem from an incident on Aug. 22 at Modernaire Mobile Home Park off Indiana 25 North. Sheriff's deputies were responding to a possible domestic disturbance when they found Fultz, who was standing outside his trailer holding his abdomen.

A large amount of blood covered his abdomen, and Fultz told the deputies that he had been stabbed.

Sheriff Tracy Brown said Fultz was treated for numerous injuries to his midsection. He was arrested on Aug. 22, but someone posted his bond while Fultz was still being treated at a Lafayette hospital.

An arrest warrant was issued Tuesday with the new charges. Fultz is scheduled to appear before Magistrate Norris Wang on May 6 for his initial hearing.

A home telephone listing in Buck Creek could not be found to reach Fultz for comment.

According to a probable cause affidavit filed with the charges, investigators suspect that the woman who stabbed Fultz did so in self-defense.

The woman told investigators that she willingly had gone to Fultz's trailer that evening. She said she fell asleep on the couch and woke up to find Fultz on top of her.

The woman claimed that Fultz locked the front door and would not let her leave, then attacked her.

She had a swollen, bloody eye and was bleeding from her nose and mouth when sheriff's deputies arrived. The woman was treated at St. Elizabeth East hospital for fractures to her nose and fibula.

**April 21, 2011: Lafayette Journal and Courier**

## **Aiyana's biological mom sentenced for child battery**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette woman was sentenced Wednesday to a year on home detention and two years on supervised probation for hitting her 13-year-old daughter.

Cassandra B. Davis, 33, pleaded guilty last month in Tippecanoe Superior Court 2 to battery on a child resulting in serious bodily injury, a Class D felony; residential entry, a Class D felony; and invasion of privacy, a Class A misdemeanor.

Davis, who formerly went by her maiden name, Cassandra Robinson, is the biological mother of Aiyana Gauvin, a 4-year-old Lafayette girl who died in March 2005 following months of abuse by her stepmother, Michelle Gauvin, and biological father, Christian Gauvin.

The victim in the battery case against Davis is Aiyana's older sister.

During Wednesday's sentencing hearing, Davis said she was remorseful and said she had not been taking her medication at the time.



As part of her sentence, Davis must comply with recommendations made by her counselors at Wabash Valley.

The charges against her stemmed from a 911 call last June from her father's home on Lafayette's north end.

According to court documents, Davis' daughter had been visiting her grandfather when Davis and her husband showed up. The 13-year-old, who answered the door, claimed her mother pushed her aside to get into the home.

The girl also told a police officer that her mother struck her leg and jaw with an open hand after the girl would not let Davis use her cell phone.

She had minor injuries consistent with those allegations, including red marks on her right leg and a red mark and scratch on her chest.

Michelle Gauvin is serving life in prison for murdering Aiyana. Christian Gauvin, who had custody of the girl, is serving a 50-year sentence for fatal neglect.

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**April 18, 2011: WLFI TV**

## **Men charged for drug possession Allegedly lied to police about their identities**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Two Tippecanoe County men face felony charges for allegedly possessing drugs and lying to police.

25-year-old Jorge Cacahua and 19-year-old Salvadore Sanchez were each charged with felony possession of cocaine and misdemeanor false informing Monday in Tippecanoe Superior Court II. Sanchez faces an additional misdemeanor charge of operating a vehicle while never receiving a license.

According to court documents, the men were pulled over for not signaling a turn. When police asked for their information, they allegedly gave the officers the wrong names and birth dates.

The documents say a police K-9 alerted officers to the men's car, and police found a baggie of cocaine in the trunk

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**April 15, 2011: WLFI TV**

## **Man sentenced for July burglary Faces 23 years in prison**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A man will spend more than a decade in prison for breaking into a Lafayette home.

According to Tippecanoe County Prosecutor Pat Harrington, 41-year-old Christopher Lozano was sentenced Friday to 23 years in prison, followed by one year in community corrections and one year on probation.

Harrington said Lozano was arrested last July, after neighbors noticed a door open on a home. Lafayette police found Lozano inside. He later plead guilty to burglary.

Harrington said Lozano also received a sentencing enhancement for being a habitual offender. He said Lozano has two prior burglary convictions out of Texas, a child molesting conviction from Clinton County in 1993, and convictions of theft and battery in Tippecanoe County.

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**April 13, 2011: Lafayette Journal and Courier**

## **Charges filed in fatal crash on Kossuth Street**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man accused of running from a one-vehicle crash last Friday that killed his passenger had both alcohol and controlled substances in his blood, court documents allege.

Bradley J. Siefert, 33, was charged today in Tippecanoe Superior Court 2 with leaving the scene of an accident after committing operating while intoxicated causing serious bodily injury; leaving the scene of an accident involving death; operating a vehicle while intoxicated causing death; and operating a vehicle with at least 0.08 percent grams of alcohol causing death.

Those four counts are felonies.

Siefert also was charged with misdemeanor counts of operating while intoxicated and operating a vehicle with at least 0.15 grams of alcohol.

He was being held Wednesday afternoon in the Tippecanoe County Jail without bond.

Siefert is believed to be the driver of a 1993 Ford Explorer that struck a utility pole on Kossuth Street near Park Avenue about 4:20 a.m. Friday. The vehicle's passenger side door had to be cut to remove Kathleen E. Altepeter, 39, who died shortly after from her injuries.

Altepeter was sitting in the front passenger seat, said Officer Matt Devine of the Lafayette Police Department.

According to a probable cause affidavit, the Explorer belonged to Siefert's parents, who live in the 1100 block of Kossuth Street, not far from the crash scene.

Siefert was found there.

He allegedly denied being the driver, instead claiming to being the passenger and hitting his head on the steering wheel.

But his wallet — and identification card — was found on top of a console near the driver's seat.

He's further accused of telling his parents not to call police about the crash, according to information Siefert's stepfather told a detective.

Siefert was taken to St. Elizabeth Central hospital for treatment for his head injury. There, a blood test showed that he had a blood-alcohol concentration of 0.22 percent, nearly three times Indiana's legal limit of 0.08 percent.

The blood test also showed that Siefert had some type of controlled substance in his system. A second sample of his blood and urine were taken, but those results are pending.

Lafayette police Sgt. Max Smith said Siefert and Altepeter were headed that morning to someone's home on Kossuth Street. He did not have information on where they had been beforehand.

## **Purdue graduate charged with forging loan papers**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Battle Ground woman used her grandmother's information without permission to co-sign \$250,000 in student loans, court documents allege.

Sharla A. Gott, 41, was charged last week in Tippecanoe Superior Court 2 with seven counts of forgery and one count each of identity deception and counterfeiting.

All nine counts are felonies.

Detective Dan Shumaker of the Lafayette Police Department said Gott turned herself in to the Tippecanoe County Jail on Monday. She was released after posting a \$10,000 surety bond.

The allegations against Gott date back to May 2006.

Investigators were first contacted in September 2009 by the victim's sons.

Shumaker said it took a long time to compile all necessary documents, including paperwork from the loan company, which explains why charges were filed only recently.

A home telephone listing in Battle Ground for Gott was disconnected as of Tuesday afternoon.

According to a probable cause affidavit, Gott's grandmother had agreed to co-sign two education loans for Gott -- providing her Social Security number and retirement fund information -- in 2004 or 2005.

The grandmother began repaying the loans in 2009. She became suspicious when the monthly payments rose from \$219 to \$1,265. That's when her son called the loan companies and learned that the grandmother was listed as co-signing 13 loans totaling \$300,000.

Gott is accused of forging her grandmother's signature on paperwork for 11 loans.

Shumaker said the fraudulent portion amounted to \$250,000. He said the loans are believed to have been related to Gott's education.

Journal & Courier archives show that Gott received an associate degree from Purdue University in spring 2009.

According to the Purdue University Data Digest, the estimated annual cost of attending Purdue for two years in 2007-08 and 2008-09, including living expenses, tuition and books, was \$36,786 for Indiana residents.

## **Escape to roof after traffic stop leads to meth charges**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man is accused of climbing onto the roof of a home to avoid being arrested for possessing methamphetamine, court documents allege.

Jacob M. Parker, 24, was charged Monday in Tippecanoe Circuit Court for possession of methamphetamine, a

Class C felony, and resisting law enforcement, a Class A misdemeanor.

He also was charged with being a habitual offender.

The charges stem from a traffic stop early Friday on Veterans Memorial Parkway South and South 18th Street. Parker was pulled over for allegedly going 45 mph in a 35 mph zone.

According to court documents, Parker was asked to step out of his vehicle after a Lafayette police officer saw a plastic bag in Parker's left pocket.

Parker obliged but tossed the bag in his vehicle's backseat, then allegedly ran.

Officers later found him on top of a roof in the 3600 block of Sunnyview Drive, about a quarter-mile away. Firefighters had to be called because Parker reportedly lied down and grabbed onto the roof's edge to avoid being handcuffed.

Parker does not live at that address.

The bag in Parker's pocket allegedly contained 3.66 grams of methamphetamine.

Parker was being held Monday afternoon in the Tippecanoe County Jail on a \$15,000 cash and surety bond.

**April 12, 2011: Lafayette Journal and Courier**

## **Contractor who bailed on projects sentenced**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man will spend time behind bars for not completing -- and in some instances, never starting -- home improvement projects contracted by five Tippecanoe County property owners, despite being paid.

Raymond E. Luebcke, 58, was sentenced Monday in Tippecanoe Superior Court 1 to one year in prison and one year on community corrections. He pleaded guilty in January to corrupt business influence, a Class C felony.

Luebcke told Judge Randy Williams that he did not have bad intentions and was sidelined by several health issues that required hospitalization. They included having water drained from around his heart and getting a pacemaker.

As for why Luebcke never contacted the people whom he promised to do renovations: "A lot of it had to do with pride," he said. "I was going to make it work, hell or high water."

The charge against Luebcke stemmed from investigations by Tippecanoe County and Lafayette police for reports of home improvement fraud between July 2007 and December 2009.

At the time, Luebcke ran a construction business called Lester and Luebcke Home Improvement.

According to court documents, all five victims had given Luebcke money representing about one-half of the total cost of what he was supposed to complete.

One of the victims gave Luebcke a combined \$32,000 for extensive work, including repairing or replacing siding, the roof and windows at a Colburn home.

Another victim, Ila Solomon, testified Monday to giving Luebcke a \$5,725 down payment to redo the bathroom in one of her rental units in Lafayette. A subcontractor brought a Dumpster but did no actual work.

That caused her to lose about half her income.

"It's just been a disaster, a total disaster," said Solomon, who has known Luebcke since childhood.

Luebcke pleaded for a sentence that avoided jail or prison time so that he could continue searching for a job and begin paying restitution.

Tippecanoe County Deputy Prosecutor John Schafer was conflicted on a sentencing recommendation -- noting that the victims deserved to be repaid but that Luebcke's actions deserved punishment.

Both Schafer and Williams noted that Luebcke's criminal history, which includes convictions for theft deception and theft, is indicative of his character.

"There are lots of legitimate businessmen and contractors who get a bad name because of actions like yours," Williams said.

A hearing to determine how much Luebcke owes in restitution will be set at a later date.

According to preliminary numbers from Schafer, that could be about \$26,000.

Luebcke told the court that he is broke and hopes to receive money from the sale of his father's farm property near Crown Point. Williams told Luebcke to encourage his family to sell it for less than its current asking price of \$800,000, if necessary.

"Sometimes it takes a little push to get restitution paid," the judge said. "Sometimes it takes a little push to get child support paid. Maybe this is that push."

Luebcke's sentence also includes three years on supervised probation.

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**April 11, 2011: Lafayette Journal and Courier**

## **Sneaking medication into jail nets community corrections sentence**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Perrysville woman was sentenced today to 18 months on community corrections for sneaking prescription medication into the Tippecanoe County Jail last August when she was serving a 24-hour sentence for a drunken-driving conviction.

Cynthia S. Thomas, 53, pleaded guilty in February in Tippecanoe Superior Court 1 to being a habitual substance offender and to an amended count of trafficking with an inmate, a Class A misdemeanor.

The trafficking charge was originally a Class C felony.

According to court documents, Thomas was booked into the jail on Aug. 13 to serve a one-day sentence after pleading guilty in Tippecanoe Superior Court 6 to operating a vehicle while intoxicated.

Shortly after she was booked in, jail staff found a bag in Thomas' cell that contained 13 Alprazolam pills and two Trazadone pills.

Alprazolam is prescribed to treat anxiety disorders and panic attacks. Trazadone is commonly prescribed for depression and anxiety disorders. Thomas is accused of smuggling the bag between her toes.

She told jail officers that she feared the jail nurse would not allow her to take her medication.

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**April 8, 2011: Lafayette Journal and Courier**

## **Man gets 3 years for hitting his kids**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man was sentenced today to three years in prison for hitting his two children with belts as punishment for misbehavior.

Gold Cortez Washington, 24, pleaded guilty last month in Tippecanoe Superior Court 1 to two counts of battery on a child, a Class D felony.

According to Tippecanoe County Prosecutor Pat Harrington, during today's sentencing hearing, Washington said he loves his children and raised them how he was raised as a child.

Charges were filed against Washington after his 2-year-old daughter and 3-year-old son were found wandering outside and alone last September near Union and Thompson streets.

The Department of Child Services was contacted because the children were not able to say where they lived. Employees were changing the kids' clothing and diapers when a DCS case manager saw suspicious bruises and marks on their backs and legs.

Washington was also ordered today to serve one year on community corrections and six months on probation.

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**April 7, 2011: Lafayette Journal and Courier**

## **Lafayette man faces possible 50 years for coke conviction**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man released from prison two years ago for a convenience store robbery faces a minimum of 50 more years behind bars after being convicted today in an unrelated drug case.

Michael T. Hackworth, 60, was found guilty of two counts of dealing cocaine, a Class A felony; one count of possession of cocaine, a Class B felony; one count of dealing a legend drug, a Class D felony; and resisting law enforcement, a Class A misdemeanor, following a three-day jury trial this week in Tippecanoe Superior Court 2.

Judge Thomas Busch then found Hackworth guilty of being a habitual offender - a non-suspendable enhancement that will account for 30 years of the sentence Hackworth receives.

He'll be sentenced at a later date.

The charge stems from an investigation last year by the Tippecanoe County Drug Task Force and multiple purchases they made of cocaine, Prosecutor Pat Harrington said.

Hackworth was arrested on Aug. 10.

Harrington said Hackworth's habitual offender status stems from convictions dating to 1975 in Cook County, Ill., where Hackworth used to reside.

They include convictions for burglary, armed robbery and possession of heroin with intent to deal.

Hackworth was convicted in 2004 in Tippecanoe County for a March 30, 2003, robbery at Village Pantry, 1008 S. Fourth St. He was sentenced to 12 years in prison, but the Indiana Department of Correction website shows that he was released in July 2009.

**April 7, 2011: Lafayette Journal and Courier**

## **Deportation likely after man serves 14 years**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Mexican national who was illegally living in Lafayette will likely be deported after serving a 14-year prison sentence for dealing cocaine.

Pepe Avila, 36, pleaded guilty last month in Tippecanoe Superior Court 1 to the Class B felony. He was sentenced Tuesday by Judge Randy Williams.

Tippecanoe County Prosecutor Pat Harrington said U.S. Immigration and Customs Enforcement has placed a hold on Avila, meaning he should be sent back to Mexico after his release from the Indiana Department of Correction.

The charge against Avila stems from a phone call that Avila's ex-wife made to the West Lafayette Police Department last Oct. 11. The woman told officers that Avila took her vehicle, and she wanted it back.

That led officers to Qdoba Mexican Grill at 139 Northwestern Ave., near the Purdue University campus, where Avila was employed.

Harrington said another Qdoba employee told officers that Avila had recently removed a lunchbox from his ex-wife's vehicle. Found in that lunch box was a pound of marijuana, 22 grams of cocaine and more than \$2,100 in cash.

The cocaine had a street value of about \$2,000, Harrington said.

Avila was further accused of giving officers a false name -- Hector Garcia -- and presenting a Mexican identification card with that name.

Officers, however, noticed that he had "Pepe" tattooed across his knuckles, Harrington said.

At the time of the October arrest, Avila also had two outstanding arrest warrants, one from the Lafayette Police Department and the other from the Indianapolis Metropolitan Police Department.

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**April 5, 2011: Lafayette Journal and Courier**

## **Conviction stands in 3-year-old's fatal injuries**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man's conviction will stand on accusations that he fatally injured his girlfriend's 3-year-old daughter when he tossed the toddler in the air, causing her to fall headfirst into a bathtub.

Thomas A. Dexter, 33, is serving a 55-year prison sentence in connection to the May 5, 2009, death of Kimberly "Kimmy" Snow.

He was found guilty of neglect of a dependent causing death, a Class A felony, and of being a habitual offender

following a three-day jury trial in January 2010 in Tippecanoe Superior Court 2.

Dexter appealed the convictions, arguing that Judge Thomas Busch should not have allowed a doctor to testify that Kimmy's injuries were consistent with abusive head trauma.

The Indiana Court of Appeals, in a unanimous opinion issued last week, disagreed -- pointing out that the doctor never implicated Dexter as the person who caused Kimmy's injuries.

The higher court also disagreed with Dexter's claims that there was not enough evidence to prove that he "knowingly or intentionally" endangered Kimmy's life, which is a necessary element of Indiana's neglect statute.

According to court documents and testimony during Dexter's criminal trial, Dexter was Kimmy's primary caregiver on April 30, 2009. That morning, Dexter called 911 and told emergency responders that he found Kimmy partially submerged in bathwater.

By evening, he gave investigators a different story -- claiming that he tried flipping Kimmy in the air, as he's done before, shortly after her bath. But this time, he was unable to catch her.

Kimmy died five days later from an intracranial hemorrhage due to blunt force trauma to her head.

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**March 30, 2011: WLFI TV**

### **Police: Suspect hit neighbor with rock Man charged in alleged battery**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man has been charged with two felonies for allegedly forcing his way into his former neighbor's apartment and hitting him with a rock.

43-year-old Field Thompson, Jr. was charged in Tippecanoe Superior Court One Tuesday with battery with a deadly weapon and residential entry.

According to court documents, Thompson knocked on his former neighbor's door and rushed into the home.

The neighbor told police that Thompson hit him at least twice with a large rock, and accused him of breaking into Thompson's house, urinating under his sink and leaving dead roaches lying around.

The documents also say Thompson told police he was attacked by the other man's shadow earlier.

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**March 29, 2011: WLFI TV**

### **Couple charged for meth crimes Allegedly made meth in home where minors lived**

- Kristin Maiorano

WEST POINT, Ind. (WLFI) - A West Point couple faces several felony charges for allegedly making meth in their home where two juveniles live.

37-year-old Andrew Hilbun and 37-year-old Stacey Marie Sparger were each charged in Tippecanoe Superior



Court Two Tuesday with seven felonies and one misdemeanor.

The charges include dealing in methamphetamine, possession of meth and neglect of a dependent.

According to court documents, in January, police tracked an informant who traded boxes of pseudo-ephedrine pills to Sparger in exchange for meth. When police contacted Sparger and Hilbun, they admitted to using and making the drug at their home in West Point.

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**March 24, 2011: Lafayette Journal and Courier**

## **Driver pleads guilty in fiery crash that hurt 2**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man has admitted to causing a fiery, two-vehicle crash last summer in Battle Ground that seriously injured two women.

Jared W. Manny, 24, pleaded guilty Wednesday in Tippecanoe Superior Court 6 to two counts of operating a vehicle while intoxicated causing serious bodily injury and two counts of operating a vehicle while intoxicated while having a controlled substance in the body, causing serious bodily injury.

All of the counts are Class D felonies.

Manny is scheduled to be sentenced on May 11 by Superior Court 6 Judge Michael Morrissey.

The charges stem from a crash on June 28, 2010, on Indiana 43 North at Indiana 225 that injured 19-year-old Ashlee Roy and her passenger, 29-year-old Alisa Howe, both of Brookston.

Roy was stopped on Indiana 43, waiting to turn left onto Indiana 225, when her sport utility vehicle was rear-ended by a truck Manny was driving.

Her SUV then caught fire.

Both Roy and Howe were flown to the St. Joseph Regional Burn Center in Fort Wayne.

Howe was released a few weeks later. Roy remained hospitalized until November -- 148 days in Fort Wayne, then about one month in Lafayette. She suffered burns to more than 40 percent of her body, family members previously told the Journal & Courier.

Roy also suffered a collapsed lung and a bruised heart, and the crash killed her unborn child.

The judge on Wednesday entered convictions against Manny for the two counts of operating a vehicle with a controlled substance in the body. Each Class D felony is punishable by six months to three years incarceration.

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**March 22, 2011: Lafayette Journal and Courier**

## **Village Pantry robber gets 18 years**

A man with a criminal history dating back to 1973 was sentenced Monday to 18 years in prison for holding up a Lafayette convenience store and for being a habitual offender.

Edgar Boze, 51, of Niles, Mich., pleaded guilty in January in Tippecanoe Superior Court 2 to robbery, a Class C

felony, theft, a Class D felony, and to being a habitual offender.

The habitual offense led to 12 years of Boze's 18-year sentence.

The charges against him stem from a robbery at Village Pantry, 1920 Main St., on Nov. 30, 2009. Boze was arrested in July 2010.

Tippecanoe County Prosecutor Pat Harrington said Boze has 21 prior misdemeanor convictions and eight prior felony convictions -- among them, one for an attempted murder in 1983 in Porter County.

**March 22, 2011: Lafayette Journal and Courier**

## **Sentence upheld in fatal stabbing**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man's conviction and 60-year prison sentence will stand for the fatal stabbing and beating of his best friend on Dec. 26, 2008.

Jeremy D. Knoy, now 27, was found guilty last year of murdering 26-year-old Derek J. Liphard following a four-day jury trial in Tippecanoe Superior Court 1. The sentence handed down by Judge Randy Williams was five years shy of the maximum.

The Indiana Court of Appeals on Monday upheld the conviction and Knoy's subsequent sentence.

"In this case, the evidence showed that Knoy stabbed Liphard in the upper right abdomen with such force that the knife blade broke off in Liphard's body," Judge L. Mark Bailey wrote.

"Knoy then used a baseball bat to strike Liphard's head at least 10 times. ... the extreme and protracted nature of the conduct is such that Knoy could not have been without an awareness that his conduct could result in Liphard's death."

The beating took place at Knoy's home at 2312 N. 19th St. in Lafayette. The childhood best friends and Harrison High School graduates had spent the day drinking beer and whiskey, according to court documents and trial testimony.

Knoy testified that the two men were shadowboxing when Liphard slapped him, and insults were exchanged.

Knoy's court-appointed attorneys had argued that Knoy was provoked by Liphard and acted in "sudden heat," which would make the crime a lesser charge of voluntary manslaughter.

On appeal, Knoy argued that the judge erred by refusing to let jurors hear arguments on whether the crime was a lesser included charge of reckless homicide.

Reckless homicide, which carries an even lighter sentence than voluntary manslaughter, means that the killing was done without intent.

The appellate court agreed with Williams because of the severity of Liphard's beating -- calling it a senseless crime of "sheer savagery."

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**March 18, 2011: Lafayette Journal and Courier**

## **Lafayette woman gets house arrest in stabbing case**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette woman won't serve time in prison for stabbing her boyfriend during a domestic dispute last summer.

Latoyia D. Fillmore, 24, pleaded guilty in January in Tippecanoe Superior Court 2 to criminal recklessness while armed with a deadly weapon, a Class D felony.

A more serious charge of battery by means of a deadly weapon was dropped.

Fillmore was sentenced Thursday to six months on community corrections -- recommended on house arrest -- followed by 10 months on supervised probation.

The charges stemmed from a fight between Fillmore and her boyfriend, Chris D. Burton, 19, on June 25 in the Claystone at the Crossing apartment complex off Indiana 25 West.

Burton was treated for a 1-centimeter cut to his left shoulder and a small scratch to his left hand.

According to court documents, Fillmore was angry because a woman had called her cell phone asking for Burton. After Burton allegedly struck her, she retrieved a 3-inch folding pocket knife from an upstairs bedroom and stabbed him as he was trying to leave the apartment.

Burton had been charged with misdemeanor battery in connection with the fight, but the charge was later dropped by the Tippecanoe County prosecutor's office.

**March 18, 2011: Lafayette Journal and Courier**

## **Teen faces additional child porn charges**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette teenager already charged in federal court with possession and distribution of child pornography faces eight more counts, the U.S. Attorney's Office for the Northern District of Indiana announced Thursday.

The charges against Anthony D. Thompson, 19, stem from an investigation that began last October by Immigration and Custom Enforcement's Office of Homeland Security, the Lafayette Police Department and the Tippecanoe County prosecutor's office.

According to court documents, an e-mail belonging to Thompson was flagged by the National Center for Missing and Exploited Children after photos were sent to a suspicious e-mail address.

The e-mail contained 36 images of young boys who were identified through previous investigations by law enforcement into child pornography distribution.

Thompson is suspected of trading photos via e-mail with various people.

Lafayette police searched Thompson's home and computer last November.

He allegedly told investigators that "in his opinion, it is OK for a child as young as 10 to consent to having sex with an adult."

The search of Thompson's user account on his family's computer turned up hundreds of images and some videos that contained suspected child pornography.

Thompson was originally charged last November. The added charges were reached this week by a federal grand jury.

## **Lafayette man, 38, pleads guilty to sexual contact with teen**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man has admitted to having sexual contact with a 16-year-old girl in his care last year.

Brandon S. Page, 38, pleaded guilty Friday in Tippecanoe Circuit Court to child seduction and possession of marijuana, both Class D felonies. He also pleaded guilty to being a habitual substance offender, which is a sentencing enhancement.

Page will be sentenced at a later date.

Under his plea agreement with special prosecutor James Fleming, additional charges of child seduction, possession of a controlled substance and possession of paraphernalia could be dropped.

Fleming is the former elected prosecutor in Howard County. A special prosecutor was assigned because of a potential personal conflict of interest in the Tippecanoe County prosecutor's office.

According to court documents, Page was arrested Sept. 15 after the girl's mom caught Page in the 16-year-old's bed. Page was allegedly naked; the girl was wearing only a shirt. Page and the girl lived in the same household. The girl's mother called the Lafayette Police Department.

The drug charges stem from a bag of marijuana that one officer found, reportedly in Page's pocket. Later that day, another bag of marijuana and a bottle containing 25 alprazolam pills were found during a search of Page's truck.

Alprazolam is a prescription drug commonly used to treat anxiety disorders and panic attacks.

In Indiana, the age of sexual consent is 16. However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a caretaker or guardian.

## **2 charged, suspected of meth-related offenses**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Two Tippecanoe County men face methamphetamine-related charges after Lafayette police officers on Monday trailed one of the suspects to multiple pharmacies.

Bradley M. Manfre, 35, of West Lafayette and Adam L. Smith, 21, of Lafayette were booked into the Tippecanoe County Jail early Tuesday.

The prosecutor's office on Wednesday requested and was granted a 72-hour hold that significantly increased their bond amount -- Manfre's being held in lieu of \$100,000 and Smith on \$50,000 -- so officers have more time to investigate.

Formal charges could be filed by Monday afternoon.

According to a probable cause affidavit filed Wednesday in Tippecanoe Superior Court 6, Smith is suspected of going into multiple pharmacies and purchasing medication containing pseudoephedrine.

Pseudoephedrine is a key ingredient used to make meth. Since 2005, Indiana has required customers to show photo identification to purchase any medication containing pseudoephedrine.

Sales records are kept for two years.

Officers then followed Smith to a Lafayette restaurant, where he parked next to and spoke with someone in a vehicle registered to Manfre.

Smith was pulled over after leaving the restaurant. He allegedly admitted to buying pseudoephedrine tablets in exchange for meth.

This information led police to search a room at Knights Inn off Indiana 26 East where Manfre was staying. Among the items recovered in that room were lithium batteries, what appeared to be crushed pills and ammonia.

Manfre was arrested on suspicion of dealing meth and possession of meth. Smith was arrested on suspicion of possession of chemical reagents.

**March 17, 2011: WLFI TV**

## **Laf. man faces 10 child porn charges**

LAFAYETTE, Ind. (WLFI) -

A Lafayette man faces 10 child pornography charges.

19-year-old Anthony Diangelo Thompson was charged with one count of distribution of child porn and another of possession of child pornography. After further investigation, Thompson faces another three counts of receipt of child pornography and five more counts of distribution of child pornography.

The U.S. Attorney's Office said all of the charges were filed after an investigation done by both the Lafayette Police Department and the U.S. Immigration and Customs Enforcement Office of Homeland Security.

Thompson's case will be prosecuted by an Assistant US Attorney.

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**March 16, 2011: WLFI TV**

## **Charges filed in meth lab case Couple faces several felony charges**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man and woman are charged with several felonies, after being arrested Friday for allegedly manufacturing meth.

32-year-old Adam Blankenship and 25-year-old Melanie Jones were charged in Tippecanoe Circuit Court Wednesday. Blankenship faces seven felony charges, including dealing in methamphetamine, possession of meth, and maintaining a common nuisance. Jones has been charged with ten felonies, including additional charges for possessing Schedule III and Schedule IV drugs without a prescription.

According to court document, police were looking to serve an arrest warrant on Blankenship, when they saw the pair smoking meth through the window. When police rang the doorbell, Blankenship and Jones went to the back of the home, without intent to answer the door, the documents said.

Police then forced entry into the home and detained Jones and Blankenship. According to the documents, police

found methamphetamine, marijuana, and prescription pills. They also discovered several of the precursors used to make methamphetamine.

According to court documents, Blankenship is considered a habitual substance offender, for having at least two prior drug convictions.

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**March 15, 2011:** Lafayette Journal and Courier

## **Suspected meth lab busted; 2 arrested near Columbian Park**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A tip that someone was cooking methamphetamine in a home near Columbian Park led to the arrests early Sunday of two Lafayette men.

Donald E. Hytrek, 29, and Anthony D. Fisher, 34, were charged Monday in Tippecanoe Superior Court 1 with dealing in methamphetamine and information of an illegal drug lab.

Hytrek, the home's occupant, also was charged with two counts of neglect of a dependent -- representing his sons, ages 2 and 3 -- and maintaining a common nuisance.

All of the counts are felonies.

Lafayette police officers went to Hytrek's home at 722 Park Ave. about 12:10 a.m. Sunday and spotted Hytrek and Fisher through a side window. One of them was stirring a milky substance in a glass pan with a steel wire; the other was shaking a green soda bottle containing some type of liquid.

Both actions are part of the cooking process for meth.

When officers knocked on the door, the two men reportedly tried to flee through a back door.

Officers also indicated smelling a strong chemical odor and seeing a haze inside the home.

Once inside, officers found an open box of medication containing pseudoephedrine, a common ingredient used to make meth, along with several crushed pills, camping fuel and ammonium nitrate.

Hytrek's wife and two children were asleep in a back bedroom.

Hytrek was being held Monday night in the Tippecanoe County Jail on a \$31,000 surety bond. Fisher was being held on a \$25,000 surety bond.

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**March 13, 2011:** Lafayette Journal and Courier

## **Police say 200-plus pounds of marijuana found in car**

An Ohio man was arrested Saturday morning after he was pulled over by a Lafayette-area state trooper, who said more than 200 pounds of marijuana were in the vehicle.

About 11 a.m., Indiana State Police Trooper Ryan Winters of the Lafayette Post was patrolling Interstate 65 when he made a traffic stop near the 178-mile marker.

The driver was Duane Anthony Crocker, 27, of Cincinnati Ohio.

Crocker, who was driving a white 2011 Mitsubishi, was traveling southbound when the trooper pulled him over for a violation.

Crocker consented to allow his vehicle to be searched.

Upon searching, Winters found more than 200 pounds of marijuana packed in large bundles.

Crocker was arrested and incarcerated in the Tippecanoe County Jail for dealing marijuana over 10 pounds, a Class C felony, and possession of marijuana over 30 grams, a Class D felony.

Other charges may be pending, and the investigation is continuing.

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**March 4, 2011: Lafayette Journal and Courier**

## **Suspect admits to sex without disclosing he had STD**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former Lafayette man accused of sexually assaulting a female acquaintance in September 2005 has admitted to a lesser count of not telling her that he has AIDS, HIV and Hepatitis B.

Oscar L. Harris Jr., 48, pleaded guilty Friday in Tippecanoe Superior Court 1 to failure to warn, a Class D felony if the nondisclosure is intentional. He's accused of being a "person at risk," engaged in "high-risk activity."

He had been charged with rape and criminal deviate conduct, both Class B felonies.

Harris faces six months to three years incarceration when he is sentenced March 25 by Judge Randy Williams. Williams will decide during that hearing whether to accept Harris' plea agreement with the Tippecanoe County prosecutor's office.

According to court documents, the woman was walking from her apartment on Lafayette's north end to a grocery store when she ran into Harris on Sept. 25, 2005.

They then went to Harris' apartment, where the woman alleges Harris forced intercourse and other sexual acts. The woman told investigators that she tried to push Harris away and verbally said, "No."

The two previously knew each other and had consensual sex.

Indiana requires carriers of sexually transmitted diseases to tell their sexual partners before engaging in high-risk sexual activity.

Testing of DNA samples led to charges filed in August 2010 against Harris. He was arrested that same week in Kansas.

The plea agreement leaves the length of Harris' sentence up to the judge.

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**March 3, 2011: Lafayette Journal and Courier**

## **Charges filed in hit and run that killed Wea Ridge student**

The family of a Lafayette teenager who was struck and killed last Sunday by a hit-and-run driver on Indiana 25 West said they're not pleased the suspect has been charged with only a Class C felony.

Robert V. Kirts II, 42, was charged today in Tippecanoe Superior Court 1 with failure to stop after an accident resulting in death. The offense is punishable by two to eight years incarceration.

His 2002 black Jeep Liberty matched the description of a vehicle that hit 15-year-old Ebony Knight in front of Casey's General Store, then fled the scene.

Kirts appeared for his initial hearing this afternoon before Magistrate Norris Wang at the Tippecanoe County Jail.

Knight's cousin, Kameka Millsap of Lafayette, was among four family members who attended that hearing. Millsap said the family believes that Kirts intentionally hit Knight, who was walking on the north shoulder of Indiana 25 with her 13-year-old cousin.

Millsap said Kirts should be charged with murder.

"They were walking off the road - they were nowhere in the street as they were walking," Millsap said. "They both turned around because they'd seen lights ... to see that the car was about to pass them. The car was driving slow.

"He came in their direction and sped up. ... He hit her so hard that she flew up in the air and ran over her again."

Officer Matt Devine of the Lafayette Police Department, one of the crash investigators, said this afternoon that none of the evidence indicates that the crash was intentional.

Tippecanoe County Prosecutor Pat Harrington said additional charges can be filed against Kirts if new evidence develops.

He is urging anyone who saw Kirts on Sunday night - before or after the crash - to contact Lafayette police, (765) 807-1200, or the anonymous WeTip hot line, (800) 782-7463.

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**March 1, 2011: WLFI TV**

## **Man charged with molesting 5-year-old Documents: Man admitted to inappropriate touching**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man has been charged with two felonies for allegedly molesting a 5-year-old boy.

32-year-old Joshua L. Brown was charged with two counts of Child Molesting in Tippecanoe County Superior Court One Monday.

According to court documents, Brown allegedly fondled the boy's genitals and rear end.

The documents say Brown eventually admitted to touching the boy's privates inappropriately on one occasion.

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## **Woman charged with welfare fraud Allegedly lied about household income**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette woman is accused of cheating the welfare system.

30-year-old Tracy Ann Cowger was charged with three felonies in the Tippecanoe County Circuit Court. Those charges include one count of welfare fraud and two counts of theft.

According to court documents, Cowger received more than \$25,000 in assistance from Food Stamps and Temporary Assistance for Needy Families between 2005 and 2009.

The documents said Cowger failed to tell the state that the father of her two children lived in her home and was gainfully employed.

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**February 26 , 2011: Lafayette Journal and Courier**

## **Lawyer charged with sneaking phone to inmate**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lake County-based attorney is accused of providing a cell phone to a client-inmate at the Tippecanoe County Jail.

Shante P. Henry, 35, of Merrillville was charged Feb. 17 in Tippecanoe Superior Court 1 with conspiracy to commit trafficking with an inmate and two counts of trafficking with an inmate.

Henry represented the inmate in an armed robbery case last year.

Two of the three counts are felonies.

Henry was arrested this past Tuesday and released from the Tippecanoe County Jail the same day after posting a \$10,000 surety bond. The charges against her were unsealed Thursday.

A message left Friday at Henry's Crown Point-based law firm was not returned.

Henry represented Jarrod E. Rodriguez, 27, of Hammond and Edward D. Mercer, 28, of Gary during a bench trial last September in Tippecanoe Superior Court 2.

They were suspects in a robbery involving \$3,100 worth of "spinner" tire rims on July 1, 2009, during which several gunshots were fired in the parking lot of Subway at 3990 Indiana 38 E. No one was injured.

After a bench trial, Superior Court 2 Judge Thomas Busch found Rodriguez and Mercer guilty of armed robbery, intimidation and other felonies.

Henry is suspected of smuggling a cell phone and phone charger to Rodriguez, who currently is serving his 10-year Department of Correction sentence at the Tippecanoe County Jail.

Rodriguez's mother, Rachel M. Rodriguez, 50, faces the same charges as Henry. As of Friday, she had not been arrested, said Tippecanoe County Prosecutor Pat Harrington.

Rachel Rodriguez has addresses in both Hammond and Calumet City, Ill.

According to a probable cause affidavit, another jail inmate left a note for corrections officers on Nov. 28 indicating that Rodriguez had a cell phone and charger in their cell block.

The phone and charger were then found in Rodriguez's cell. The phone is registered to his brother, who is not an inmate.

Investigators traced the phone to Henry and Rodriguez's mother based on visitation records. Attorneys are allowed to meet with their clients face-to-face, whereas family and friends speak with inmates over video phones.

However, attorneys cannot take any electronic devices -- for instance, cell phones and recording devices -- without prior approval from jail commander Capt. Denise Saxton.

Phone records showed that the cell phone found in Rodriguez's cell "hit off" cell phone towers covering the jail beginning on Oct. 22. At the time, Rodriguez was waiting to be sentenced.

Nearly 500 inbound and outbound calls were made on the cell phone, along with 51 text messages.

His mother became a suspect after investigators reviewed the jail's internal phone system. Conversations between Rachel Rodriguez and her son included incriminating statements.

The girlfriend of Mercer, the second defendant, also faces criminal charges related to the robbery trial.

Sharnetta M. Barnes of Griffith is charged in Tippecanoe Superior Court 5 with obstruction of justice -- accused of pretending to be an employee in the prosecutor's office and contacting the victim's before the trial began.

Barnes, 23, is scheduled for trial in March.

Mercer is serving a 20-year prison sentence, which was double Rodriguez's punishment because of his violent criminal history.

**February 26 , 2011: WLFI TV**

## **Inmate's attorney charged with felony Allegedly trafficked phone charger into jail**

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Tippecanoe County inmate's mother and attorney have each been charged with a felony, for allegedly trafficking a cell phone charger into the jail.

According to court documents, Shante Patrice Henry and Rachel Maria Rodriguez were each charged Friday with a count of Conspiracy to Commit Trafficking with an Inmate.

The documents said Corrections Officers found a cell phone in inmate Jarrod Rodriguez's cell in November 2010.

An investigation found that his attorney, Shante Henry, had brought a charger into the jail for her client, after conspiring with his mother, Rachel Rodriguez.

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**February 25 , 2011: WLFI TV**

## **Nick's shooting suspect in court**

## Judge sets jury trial date

- Kristin Maiorano

LAFAYETTE, Ind. (WLFJ) - An Indianapolis man made his first appearance in a Tippecanoe County courtroom Friday morning for charges related to a shooting at a West Lafayette night club last December.

22-year-old Clarence Stephens appeared in the Magistrate Court. He's been charged with Criminal Recklessness while armed with a deadly weapon, a felony; and a misdemeanor charge of False Informing.

The charges are for an incident at Nick's Night Club in December. According to police, Stephens fired shots into a crowd of people after his friend, 22-year-old Antwain Harrison, was shot in the neck.

Stephens' jury trial is now set for June.

**February 25 , 2011: Lafayette Journal and Courier**

## Teen avoids adult charge in gunfire case at Earhart

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette teenager won't be tried as an adult for her alleged involvement in a confrontation that led to gunfire outside Earhart Elementary School in December

That's because the Tippecanoe County prosecutor's office dismissed its prior request to waive the 16-year-old from juvenile court, due to her lack of criminal history or rehabilitation services.

A hearing on that waiver was held Thursday morning in Tippecanoe Superior Court 3, the county's juvenile court. She's scheduled for another hearing next month.

The girl has been held in secure detention at a juvenile center since her arrest on Jan. 25.

According to court documents, the 16-year-old is the girlfriend of the suspected shooter, 19-year-old Stacey D. Thomas. Correspondence between the girl and her ex-boyfriend on the social networking site Facebook reportedly led to the confrontation.

Lafayette police said she was one of several teen-agers who were in the parking lot at Earhart Elementary the night of Dec. 13, when at least nine gunshots were fired.

No one was injured, but bullets struck the nearby Bradford Place Apartments off South Ninth Street and went through the driver's side door of a nearby vehicle, landing under a child's car seat.

Thomas is charged in Tippecanoe Superior Court 1 with nine felonies, including four counts each of attempted aggravated battery and attempted battery while armed with a deadly weapon.

He remains in Hendricks County Jail, where he turned himself in on Jan. 31, Lafayette police Detective Scott Galloway said

**February 25 , 2011: Lafayette Journal and Courier**

## Teen opts out of plea deal in robberies

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette teenager opted to not accept a plea agreement from the Tippecanoe County prosecutor's office for

his involvement in a string of beatings and robberies in September 2009.

Antwon L. Milsap, 18, had been scheduled to plead guilty Thursday afternoon in Tippecanoe Superior Court 1 but changed his mind, said his court-appointed attorney, Tim Broden.

Broden told Superior Court 1 Judge Randy Williams that Milsap also wants a different public defender. Williams scheduled a hearing on that request.

Milsap and his co-defendant, 21-year-old Brandon M. Winters of Lafayette, were accused of three crimes that occurred in a roughly 24-hour period: two strong-arm robberies on Sept. 16, 2009, in Lafayette and West Lafayette and an attempted armed robbery on Sept. 17, 2009, in West Lafayette.

Victims were knocked down, punched and chased. Cell phones, wallets and other valuables were taken.

Milsap is charged with multiple felonies that include robbery resulting in serious bodily injury, theft and battery. He'll likely be given a new trial date.

Winters, who was shot in the face by a West Lafayette officer minutes after the Sept. 17 attempted robbery, pleaded guilty and was sentenced in January to 20 years in prison.

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**February 18 , 2011: Lafayette Journal and Courier**

## **Charges filed in December shooting at WL nightclub**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Formal charges have been filed against an Indianapolis man accused of blindly firing two gunshots last December in the direction of a crowd of people standing outside a West Lafayette nightclub.

Clarence L. Stephens, 22, is charged in Tippecanoe Superior Court 2 with criminal recklessness while armed with a deadly weapon, a Class C felony, and false informing, a Class B misdemeanor.

He's scheduled to appear for an initial hearing on Feb. 25 before Magistrate Norris Wang.

Stephens is an acquaintance of 22-year-old Antwain D. Harrison, who was shot in the neck on Dec. 5 in the parking lot of Nick's Nightclub, 402 Brown St., in the West Lafayette Levee.

Harrison, also of Indianapolis, was recently taken off ventilators at an Indianapolis hospital, said Lt. Troy Harris, a detective with the West Lafayette Police Department.

But Harrison remains paralyzed from the neck down.

Harris said investigators were planning to meet and speak with Harrison -- for the first time since the shooting -- by the end of this week.

Stephens is not accused of shooting Harrison, but rather of shooting in retaliation afterward.

The two men were in West Lafayette on Dec. 4 and 5 to attend an event called the "Rated R Party" at Nick's. It was hosted by promoters from Indianapolis.

According to court documents, the party was shut down early because of several fights that broke out inside. West Lafayette police were also called about that time to help break up an active fight.

Dozens of people and at least one police officer were in the parking lot when four gunshots, followed by

two more gunshots, rang out.

This led to a frantic commotion during which one officer found Stephens, Harrison and another man crouching behind a vehicle. Both Harrison and Stephens were armed.

According to a probable cause affidavit filed with the most recent charges, Stephens initially told investigators that he saw an armed man standing in front of Nick's and the muzzle flash of a gunshot.

However, evidence at the scene indicated that the person who shot Harrison was standing in another location, away from Nick's.

Stephens then made incriminating statements, which included admitting that he fired his 9 mm handgun blindly toward the entrance of Nick's after Harrison was shot.

Only two gunshots were fired because Stephen's gun had jammed.

He did have a permit to carry his handgun, which was found in a vehicle that he rode in from Indianapolis to West Lafayette.

Stephens was arrested on Dec. 5, but he was released from the Tippecanoe County Jail three days later after posting a \$25,000 surety bond.

A home telephone listing could not be found Thursday to reach Stephens for comment. Tippecanoe County's online court database does not indicate whether he has obtained an attorney.

The person suspected of shooting Harrison -- 20-year-old Curtis Bacon of Indianapolis -- turned himself in on Dec. 15. He remained held on a \$100,000 surety bond Thursday in the Tippecanoe County Jail.

Bacon is charged in Tippecanoe Superior Court 1 with aggravated battery and battery, both felonies.

Harris said he does not anticipate any further arrests.

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**February 17 , 2011: Lafayette Journal and Courier**

## **Mom sentenced for drunken crash that hurt daughter**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Seymour woman who admitted that she was drunk when she caused a one-vehicle crash last summer that injured her 5-year-old daughter has avoided prison time.

Faye A. Grimes, 30, pleaded guilty in December in Tippecanoe Superior Court 2 to neglect of a dependent, a Class C felony, in connection to a July 31 wreck on U.S. 52 near County Road 500 West in West Lafayette.

She also pleaded guilty to a Class A misdemeanor count of operating a vehicle with a blood-alcohol content of 0.15 percent or higher.

Grimes was sentenced Thursday to 56 days in prison.

But that was negated by a combined 56 days credit for time already served and for good behavior.

She was further ordered to spend two years and 309 days on probation.

According to court documents, Grimes had a blood-alcohol content of 0.18 percent after the wreck. That is more

than double Indiana's legal limit of 0.08 percent to drive.

Grimes admitted consuming a quarter-pint of vodka while driving from Seymour -- an hour south of Indianapolis -- to her father's home in Otterbein.

A Tippecanoe County sheriff's deputy also found a near-empty bottle of whiskey in the front passenger seat.

Grimes' daughter suffered two black eyes and a bump on her forehead in the wreck.

Tippecanoe County Deputy Prosecutor Elizabeth Goodrich said the girl was placed in foster care afterward and that she remained in foster care as of Thursday.

Under a plea agreement, Grimes is required to complete substance abuse and mental health treatment.

She has been at Seeds of Hope, an alcohol- and drug-treatment facility, since August.

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**February 15 , 2011** **Lafayette Journal and Courier**

## **2 fatal heroin overdoses raise alarm**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Two men died and one woman was hospitalized in three separate incidents this past weekend that drug investigators suspect were caused by a dangerous and potent batch of heroin being sold in Tippecanoe County.

Tippecanoe County Prosecutor Pat Harrington and the Tippecanoe County Drug Task Force are asking people with any information -- no matter how small, said Drug Task Force commander Lt. Pat Flannely -- to come forward.

People who fear retribution from dealers or worry that they could be arrested for possession can provide information anonymously by calling the WeTip hot line.

"Given the way that heroin is trafficking, it's going to be a very difficult task without somebody helping us get this poison off the street," Harrington said Monday. "We believe there is an immediate danger on the street based upon the closeness of these three (overdoses).

"We want to warn those involved in this of that danger. ... Also, we're hoping those who know more about this will reach out to law enforcement so we can try to get this off the streets."

Family members and friends also can help by looking for some of the signs that someone is abusing heroin, said Jon Eager, a West Lafayette police detective and Drug Task Force investigator.

They include pale, clammy skin; ptosis, which is defined as drooping eyelids; and constricted, small eyes. Some users also may tell loved ones that they are taking morphine, rather than heroin, to avoid the stigma of being labeled a "junkie," Eager said.

Heroin is processed from morphine, which is a substance extracted from the seed pod of certain types of poppy plants. It can be sold as anything from a white powder to a black, sticky substance known as black tar heroin.

The suspected heroin overdoses this past weekend all occurred within 24 hours.

About 6:30 p.m. Saturday, Tippecanoe County sheriff's deputies were called to a home in the 2100 block of Kopf Lane, off Indiana 43 North.

Sheriff Tracy Brown said they suspect a 28-year-old man died from a heroin overdose, based upon evidence at

the scene and statements from another person staying there.

Investigators are waiting on toxicology results, he said.

The next death was reported about 10:30 a.m. Sunday in the 100 block of South Third Street, near downtown, according to Lafayette police Capt. Bruce Biggs. He was a 31-year-old man.

That was followed by the hospitalization of a 19-year-old woman about 6:30 p.m. Sunday in West Lafayette.

Police Lt. Gary Sparger said officers were called to an apartment in the 200 block of South River Road for an overdose. After questioning her and another man living there, she admitted taking heroin.

Sparger said a small amount of heroin and syringes were recovered from the apartment.

The other tenant, 22-year-old Matthew L. Chandler, was arrested on suspicion of dealing a narcotic, possession of a controlled substance and two marijuana-related offenses.

Harrington said details from the West Lafayette incident prompted investigators from the three separate police agencies to look at all of the cases together.

Substances believed to be heroin were found at all three homes. They will be sent to the Indiana State Police laboratory in Lowell for further testing.

How the two men died has not yet been determined by the Tippecanoe County coroner's office. Results of toxicology tests typically take several weeks.

Deputy coroner Donna Avolt said heroin metabolizes in the body as morphine. That's one way to see whether heroin was involved.

Because heroin is a street drug, it is difficult to track its true growth in Tippecanoe County. One method that Harrington uses to monitor the drug's popularity is by the number of criminal charges.

For instance, in 2006, the Tippecanoe County prosecutor's office filed three heroin-related drug cases. That tripled to 10 in 2007, followed by a slight drop with 8 cases in 2008.

But numbers surged in 2009 to 31.

In 2010, 28 heroin-cases were filed. They include nine that were handled in federal court. Eager and Harrington said the slight drop was because Tippecanoe County's Drug Task Force worked with federal authorities last year to go after "big fish" distributors, rather than mid-level drug dealers.

The kind of heroin typically seen in Tippecanoe County is "cut" with another drug to water down its potency, such as over-the-counter Benadryl allergy medication or Dorman sleeping pills.

What's worrying investigators now is "hot load" heroin, which is a more potent form that can lead to an overdose. That's the kind of heroin they suspected was used by the three victims this past weekend.

"The body can't handle it," Harrington said.

Most of it comes here from Chicago, Indianapolis and Danville, Ill., Eager said. Heroin can be injected, snorted or smoked.

As such, concerned family members and friends also should watch out for small pieces of a straw or hollowed pen with powder residue, Eager said.

Added Flannelly, a Lafayette police lieutenant: "Sometimes it's disappointing that there are people who have

information that can make a difference, but for whatever reason they're reluctant to provide that information.

"No tip can be too big or too small. It's all useful information."

Heroin is sold in small amounts, usually one-tenth of a gram for \$20 to \$35. The low cost, when compared with other hard drugs, could contribute to heroin's growing use here, Harrington said.

He also believes it's tied to gang activity.

"It's part of the cocktail of drugs that gangs like to sell -- heroin, coke, even meth," Harrington said.

Additional Facts

## **What you can do**

**Anyone with information on heroin being sold in Tippecanoe County and the suspected overdoses this past weekend is asked to call the Tippecanoe County Drug Task Force at (765) 775-5261.**

**Tips also can be left anonymously by calling the WeTip hot line at (800) 782-7463.**

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**February 13 , 2011: Lafayette Journal and Courier**

## **Sentencing reform debate heats up**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A proposal before the Indiana General Assembly that would help ease prison overcrowding could leave Tippecanoe County absorbing some of those costs, possibly to the tune of a quarter-million or more annually.

That's according to rough estimates recently put together by Tippecanoe County Commissioner Tom Murtaugh, who plans to write letters to Lafayette-area legislators about Senate Bill 561.

He wants legislators to study the financial impact on counties before they vote.

"The shortening of sentences for drug crimes is concerning in itself," Murtaugh said. "In addition to the public safety issue ... the impact on the county could be very significant."

The proposed legislation followed on the heels of a report, released in December, by the Council of State Governments Justice Center and Pew Center on the States. It found that Indiana's prison population grew 40 percent during the past decade -- three times faster than any neighboring state.

That study into Indiana's crime and corrections data was commissioned by Gov. Mitch Daniels and Supreme Court Chief Justice Randall Shepard, among others.

Senate Bill 561, which is up for committee review on Monday, would reduce the severity of some non-violent crimes.

For instance, it would make dealing cocaine or methamphetamine less than 10 grams a Class C felony, which is punishable by two to eight years incarceration. Currently, dealing more than 3 grams of cocaine or meth is a Class A felony, punishable by 20 to 50 years.

The proposed bill also would give judges more discretion to sentence non-violent offenders to county-supervised



probation and community corrections programs.

Murtaugh based his estimated cost to the county on those diverted offenders.

He anticipates that at least four more probation officers would have to be hired, at a salary cost of \$140,000 to \$150,000, not including benefits.

Senate Bill 561 also mandates that community corrections offer substance abuse treatment programs, which will likely mean hiring a therapist or two with master's degrees, Murtaugh said.

That salary cost? An estimated \$150,000.

"When all is said and done, it's a quarter of a million of just basic numbers -- not benefits," Murtaugh said. "It seems to be that the legislation is trying to cut costs at the state level, at the Department of Correction level.

"But it seems to be simply passing it onto counties."

Counties, however, could apply for grants or earn incentives by keeping the number of offenders convicted of Class D felonies they send to prison below a certain baseline.

Review is necessary

Lafayette criminal defense attorney Earl McCoy can attest to why a review of Indiana's prison sentencing laws are necessary. He has a client who was convicted in Tippecanoe County of dealing cocaine at age 18 and sentenced to 35 years in prison.

The man, who now is almost 40, received little substance abuse treatment, McCoy said.

"There is really very little rehabilitation being formed," he said. "In fact, all we are doing is warehousing these individuals and putting them in a situation where they are socializing only with other criminals."

If Indiana and the community is truly concerned about helping non-violent offenders, McCoy said, the better option is to allow them to face their demons in an everyday setting.

"When you're dealing with drug addicts, for example, (prison) does not prepare them to be interacting in society without those drugs," McCoy said. "My concern is that we need to make sure they are able to stay clean and sober while maintaining a job, paying bills and running their kids around.

"The real question is not whether they can stay off drugs while in the DOC. The real question is, can they stay off drugs when on the street, when drugs are readily available?"

Tippecanoe County Prosecutor Pat Harrington agrees that Indiana needs to review its sentencing rules. But he is a staunch opponent to many aspects of Senate Bill 561.

He was among 32 elected prosecutors who attended a committee hearing on the proposed legislation last Tuesday.

To Harrington, the bill benefits drug dealers. He pointed out that 10 grams of cocaine or meth has a street value of \$1,000; 10 grams of heroin is about \$2,000.

"We're not talking about drug addicts here. We're not talking about marijuana," Harrington said. "We're talking about the heaviest drugs that are sold ... the most serious drugs."

Investigators in Tippecanoe County have long argued that many drug crimes and violent crimes are linked.

For instance, the shooting death of 21-year-old Kory D. Rogers of Lafayette in April 2010 is believed to have

begun with a staged robbery over marijuana. Two people face charges in Rogers' death.

Also, a string of home invasions in spring 2010 was tied to a scheme by a group of men to oust other marijuana dealers, according to court testimony by the suspects. All but one of those men pleaded guilty.

Harrington said he further believes the Senate bill is designed to address prison overcrowding and crimes in Marion County, rather than the entire state.

The Pew Center report found that 25 percent of prison beds were occupied by people convicted of Class D felonies -- in 2010, 2,197 out of 8,013 were from Marion County.

By contrast, Tippecanoe County judges sent 101 people convicted of Class D felonies to prison last year.

"This is not a state of Indiana issue," Harrington said. "This is a Marion County issue."

According to the Legislative Services Agency's fiscal impact statement on Senate Bill 561, the legislation would save the DOC \$5.68 million in 2012. The DOC's 2010 general fund was \$691.6 million.

Contributing: The Indianapolis Star

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**February 12 , 2011: Lafayette Journal and Courier**

## **Man gets 2 years in lethal stabbing**

By SOPHIA VORAVONG, [svoravong@jconline.com](mailto:svoravong@jconline.com)

A homeless man from Lafayette who stabbed an acquaintance last summer, causing near-fatal injuries, was sentenced Friday to two years in prison.

Richard M. Burke, 51, pleaded guilty in November in Tippecanoe Circuit Court to battery resulting in serious bodily injury, a Class C felony.

The victim, 36-year-old Michael Lee Moore of Lafayette, was stabbed in the chest with an 8-inch blade. The knife penetrated Moore's liver, and he could have "bled out" without immediate medical care, said Tippecanoe County Deputy Prosecutor Jason Biss.

The incident occurred on July 12 at Moore's apartment at 1301 Columbia St., following an afternoon of alcohol consumption.

According to court documents, Moore said Burke lunged at him for no reason. Burke, however, claimed that he was stabbed first by Moore and grabbed a kitchen knife in retaliation.

He then cut his own wrists and throat afterward because he "wanted to die with Moore."

During Friday's sentencing hearing, Burke's attorney, Tom O'Brien, said Burke has been diagnosed with depression and was actively seeking help at various providers in the community.

Burke told Judge Don Daniel that he had been taking the prescription painkiller Darvocet at the time and questioned whether the drug contributed to his unusual behavior and "suicidal thoughts."

Darvocet was withdrawn from the U.S. market last November at the request of the Food and Drug Administration, according to the FDA's website.

"I was doing so well, and this stuff happened. ... We both argued, and this is what happened," Burke said. "I just

want to get back to normal, to be a human again."

Daniel ordered Burke to serve three years on probation after his release from prison.

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**February 10 , 2011: Lafayette Journal and Courier**

## **Girl, 16, may face charges in shooting near school**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

The Tippecanoe County prosecutor's office wants a 16-year-old girl to be tried as an adult for her alleged involvement in a confrontation that led to gunfire outside Earhart Elementary School in December.

No one was injured, but bullets struck the nearby Bradford Place Apartments off South Ninth Street and went through the driver's side door of a nearby vehicle, landing under a child's car seat.

The 16-year-old has been held in secure detention at a juvenile center since her arrest on Jan. 25.

A hearing on the prosecutor's waiver request is scheduled for Feb. 24 in Tippecanoe Superior Court 3, the county's juvenile court.

Detective Scott Galloway of the Lafayette Police Department said he was not able to comment on what crime she's suspected of committing, pending criminal charges.

According to court documents, the 16-year-old is the girlfriend of the suspected gunman, 19-year-old Stacey D. Thomas. Correspondence between the girl and her ex-boyfriend on the social networking site Facebook reportedly led to the confrontation.

The 16-year-old was one of several teenagers who were in the parking lot at Earhart the night of Dec. 13, when at least nine gunshots were fired, Galloway said.

Thomas is charged in Tippecanoe Superior Court 1 with nine felonies, including four counts each of attempted aggravated battery and attempted battery while armed with a deadly weapon. He remains in Hendricks County Jail, where he turned himself in on Jan. 31.

Thus far, only the 16-year-old and Thomas have been arrested.

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**February 5 , 2011: Lafayette Journal and Courier**

## **Man gets 11 years for sex with baby sitter, 15**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man was sentenced Friday to 11 years in prison for having a sexual relationship with a 15-year-old girl who has been diagnosed as mildly mentally retarded.

It was one year shy of the maximum that Melvin J. Spencer, 41, faced after he pleaded guilty in December to two counts of sexual misconduct, one a Class B felony and the other a Class C felony.

The teenager used to baby-sit Spencer's two children, ages 3 and 7.

Judge Randy Williams of Tippecanoe Superior Court 1 ordered that Spencer's prison sentence be followed by

three years on supervised probation.

Charges against him were filed in August, after a neighbor saw Spencer and the 15-year-old kissing outside.

According to court documents, the girl's case manager at Wabash Valley told investigators that the girl functions at the level of a fourth- or fifth-grader.

The girl admitted to investigators that the sexual acts included kissing, fondling and intercourse. This occurred at Spencer's home on Main Street and at a Lafayette hotel, where the girl stayed with Spencer and his children.

The length of Spencer's sentence was recommended by both his attorney, Chief Public Defender Amy Hutchison, and Deputy Prosecutor Elizabeth Goodrich.

The counts to which Spencer pleaded guilty carried a combined sentence of six to 28 years in prison. His plea agreement capped imprisonment at 12 years, with additional time that could be served on probation.

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**February 4, 2011: WLFI TV**

## **Prosecutor: Lower sentences, more crime Disagrees with proposed bill in State Senate**

Updated: Friday, 04 Feb 2011, 7:04 PM EST

Published : Friday, 04 Feb 2011, 5:53 PM EST

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - The Tippecanoe County Prosecutor is speaking out about proposed legislation that would reduce sentence times for drug offenders.

Prosecutor Pat Harrington said in its current draft, the Senate Bill would encourage drug activity, and make counties in central Indiana much more dangerous.

But one Lafayette attorney said the changes are necessary: "The reality of it is, if we don't do something to deal with these low-level offenders who aren't necessarily a threat to the communities that they live in, we're not going to be able to deal with the ones that are," said attorney Matthew Sandy.

Sandy's perspective on proposed legislation in a State Senate committee mirrors the ideas of our governor, in his State of the State address.

"We can be tougher on the worst offenders, and protect Hoosiers more securely, while saving a billion dollars the next few years," Daniels said last month.

The new bill may be the General Assembly's response to Daniels' request. The Senate Bill would encourage county judges to rely more on community corrections, probation and rehabilitation, versus prison time.

It's a potential change that Tippecanoe County Prosecutor Pat Harrington said would be ineffective and dangerous.

"They are going to increase their efforts to make even more money," Harrington said. "Because there's less punishment for it."

"They" are local drug dealers. Harrington said the legislation would decriminalize dealing of cocaine, heroin and methamphetamine.

He said what would now receive a sentence of 20 to 50 years could later be limited by law to a maximum of eight years. He said you could compare it to a hypothetical problem keeping up with speeders.

"Let's just raise the speed limit. Say, if you speed 30 miles an hour over, don't worry about it. You can get probation. You can pay a dollar," Harrington said.

But Sandy said current state law is landing the wrong people behind bars.

"If a group of friends all want to go in together and one knows somebody from back home, and he goes home and gets them for a party that's going to happen, he's a dealer," he said.

Sandy said going to prison can do more harm than good, when it comes to users who just got in over their heads.

Harrington has plans to testify before the Senate Judiciary Committee on Tuesday. He said he will recommend the Senate table the bill, and perform a comprehensive review of all state law to see where the safest places to save money would be.

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**February 2 , 2011: Lafayette Journal and Courier**

## **Counts dropped for suspect in shooting**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Original charges of conspiracy to commit robbery, attempted robbery and three other offenses have been dropped against a Mooresville man in connection to the shooting death last year of Lafayette resident Kory D. Rogers.

That's because those allegations were part of 12 indictments -- among them, murder and felony murder -- that a Tippecanoe County grand jury returned in January against 31-year-old Edward C. Zaragoza.

Prosecutor Pat Harrington said a defendant can't have two sets of pending charges for the same incident.

Zaragoza was being held on the conspiracy to commit robbery charges since April 18, 2010, 10 days after Rogers was found dead in his home.

He still has pending, unrelated burglary charges, in addition to the new murder counts.

A second man, 28-year-old Jeremiah Thompson of Reelsville, also is charged with murder and felony murder in Rogers' death. Both suspects are being held in area jails without bond.

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**January 29 , 2011: Lafayette Journal and Courier**

## **Spitting on cop costs man 5 years**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Rossville man was sentenced Friday to five years in prison for spitting on a Lafayette police officer.

Steven E. Carson, 51, pleaded guilty in December in Tippecanoe Superior Court 1 to an amended count of battery by bodily waste, a Class D felony.

The original charge was a Class C felony because Carson has Hepatitis C.

He also admitted being a habitual offender, which is a sentencing enhancement.

The charges stemmed from Carson's arrest last July.

According to court documents, a police officer was called to Cason and 26th streets in Lafayette, where Carson was found sitting on a curb. He was swaying, and his speech was slurred.

Carson was then taken to a Lafayette hospital. As the officer was handcuffing Carson to his hospital bed, he spit on the officer's bare left arm and left side.

This occurred shortly after Carson told the officer he got Hepatitis C from sharing needles when he used heroin and then tried to leave the hospital.

Under a plea agreement with the Tippecanoe County prosecutor's office, additional charges against Carson for misdemeanor counts of resisting law enforcement, public intoxication and disorderly conduct were dropped.

Carson also cannot appeal his sentence under the plea agreement.

Superior Court 1 Judge Randy Williams on Friday ordered Carson to serve a year on supervised probation after his release.

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**January 28, 2011: Lafayette Journal and Courier**

## **Guilty plea entered in coke dealing case**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man who was scheduled to stand trial Tuesday on accusations that he sold cocaine on numerous occasions to a police informant has instead pleaded guilty.

Pio Avalos Jr., 30, pleaded guilty Thursday in Tippecanoe Superior Court 1 to one count of dealing cocaine, a Class A felony. He had been charged with four counts each of dealing cocaine and possession of cocaine.

Avalos will be sentenced Feb. 24 by Superior Court 1 Judge Randy Williams.

The charges stem from drug sales in August and September 2009 in Lafayette.

Avalos has been in the Tippecanoe County Jail on a \$250,000 surety bond since his arrest in July 2010, shortly after formal charges were filed.

According to court documents, Avalos is alleged to be a gang member.

During one of the drug sales, two children were seen with Avalos in his vehicle.

A Class A felony is typically punishable by 20 to 50 years incarceration.

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**January 26, 2011: WLFI TV**

## **Police: Man fired shots at elementary**

## December 2010 incident, police still seek Thomas

Updated: Wednesday, 26 Jan 2011, 1:51 PM EST

Published : Tuesday, 25 Jan 2011, 3:56 PM EST

- Erin Coduti

LAFAYETTE, Ind. (WLFI) - A man has been charged with several felonies for an incident that took place at a Lafayette elementary school one evening during December 2010.

Stacey Daniel Thomas, a 19-year-old, faces several felony charges of attempted battery and attempted aggravated battery, as well as a felony charge for criminal recklessness.

Though the incident took place on the evening of December 13, 2010, this is the first that police have released information about what took place.

According to the Affidavit of Probable Cause, police were dispatched to Amelia Earhart Elementary at 8:17 p.m. regarding possible shots being fired. Police said witnesses told them they had seen two cars with their lights off in the elementary parking lot for a brief period before both vehicles took off at a high rate of speed.

Police also said witnesses told them they had seen Stacey Thomas take out a handgun and fired shots at other individuals.

According to the affidavit, police returned to the school the following day, December 14, and found spent shell casings on the south side of a sidewalk near the basketball court and baseball field. Some casings had been given to Principal Pat Miller by a student. Nine casings were found in total.

Police located four bullet impacts, according to the affidavit. The first bullet impact was found in the driver-side door of a vehicle parked at a nearby apartment. A bullet was located inside the vehicle, under a child's seat. The affidavit listed three additional possible bullet impacts, two on a nearby dumpster and one on an overhang to the entrance to two nearby apartments.

Police were able to interview several individuals who said they were present in the parking lot that night. According to the affidavit, police determined that Thomas was firing in the direction of an individual named Dorian Walls and several others.

According to the information in the affidavit, Walls indicated to police that the incident began when he received death threats via Facebook. Walls stated that he had previously dated a girl and that this upset Thomas. Walls said that he communicated through a friend that he wanted to meet Thomas to talk.

Lafayette Police are still looking for Thomas. They believe he might be in Indianapolis, but still has family and friends in Lafayette. Lafayette Police are working with Indianapolis Metro Police to locate Thomas.

If you have any information to the whereabouts of Stacey Daniel Thomas, contact Lafayette Police at 807-1200 or the WE TIP Hotline at 800-78-CRIME.

NewsChannel 18 will provide you with updates as more information becomes available.

**January 26, 2011: WLFI TV**

## Murder suspect appears in court Faces decades of prison time

Updated: Wednesday, 26 Jan 2011, 10:22 AM EST

Published : Tuesday, 25 Jan 2011, 6:32 PM EST

- Kristin Maiorano

LAFAYETTE, Ind. (WLFH) - One of two men suspected in the murder of Kory Rogers appeared before a magistrate Tuesday.

28-year-old Jeremiah Thompson was indicted for murder, robbery, theft and several other charges last week, by a Tippecanoe County Grand Jury.

Thompson appeared at the Magistrate Court in the county jail Tuesday afternoon. The magistrate informed him of his rights and the indictments against him, which stem from the April 2010 shooting and murder of 21-year-old Kory Rogers.

If convicted, Thompson could face up to 65 years for murder, and up to 50 years for the robbery.

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**January 25, 2011: Lafayette Journal and Courier**

## **Charges filed in December gunfire near Earhart school**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Investigators are looking for a former Lafayette teenager suspected of firing multiple gunshots at a group of people during a confrontation in the parking lot at Earhart Elementary School in December.

No one was injured, but bullets struck the nearby Bradford Place Apartments off South Ninth Street and went through the driver's side door of a nearby vehicle, landing under a child's car seat.

The suspected gunman, Stacey D. Thomas, 19, was charged this month in Tippecanoe Superior Court 1 with four counts of attempted aggravated battery; four counts of attempted battery while armed with a deadly weapon; and one count of criminal recklessness.

All nine counts are felonies.

Thomas also was charged with carrying a handgun without a license, which is a misdemeanor.

Detective Scott Galloway of the Lafayette Police Department said Thomas has family in the Lafayette area and previously attended high school and worked in Tippecanoe County.

Galloway said he spoke on the phone briefly with Thomas, but Thomas did not want to be interviewed about the shooting.

He's believed to be in the Indianapolis area. Detectives here are working with investigators at the Indianapolis Metropolitan Police Department to locate him, Galloway said.

The charges against Thomas stem from gunshots that were fired the night of Dec. 13 in the parking lot at Earhart Elementary, 3280 S. Ninth St.

Witnesses reported seeing two vehicles speed away from the parking lot.

The next morning, an Earhart student found several shell casings outside and gave them to school officials.

An Earhart custodian also located shell casings in a pile of shoveled snow. Nine shell casings were found on school property.



The ammunition is believed to be from a 9 mm handgun.

According to a probable cause affidavit filed with Thomas' charges, investigators suspect that Thomas had gone to Earhart to fight another Lafayette teenager who previously dated Thomas' girlfriend.

Thomas allegedly was angry because his girlfriend and the other teenager, Dorian Walls, had been chatting on Facebook, a social networking website.

Both Walls and Thomas were accompanied by other teenagers at Earhart.

Walls admitted to investigators that he also brought a handgun to Earhart but left it in his vehicle. After gunshots were fired at him and his friends, Walls and another person reportedly went "out into the country" to shoot his gun, but it jammed after firing properly once.

Walls' gun was recovered by detectives.

Galloway said a second person, a 16-year-old female high school student, was arrested Tuesday for her suspected involvement in the shooting at Earhart. She was taken to a detention center.

Her name has not been released.

Tippecanoe County Deputy Prosecutor Chuck Hagen said formal charges have not yet been filed against the girl. She's expected to appear before a Tippecanoe County juvenile court judge on Thursday.

The charges against Thomas come as the teenager is out on bond for charges related to a break-in at Hour Time restaurant at the Best Western on Indiana 26 East in Lafayette.

Thomas, who used to work at Hour Time, is accused in that case of stealing cases of steak and trying to resell the meat. He's scheduled for trial in April.

The Earhart incident was just two weeks after shots were fired Dec. 5 outside Nick's Nightclub in the West Lafayette Levee, seriously injuring an Indianapolis man. And on Jan. 15, another man fired shots outside the Economy Inn on Sagamore Parkway North in Lafayette.

Suspects have been arrested in those cases.

### **Additional Facts - What you can do**

Anyone with information on the whereabouts of Stacey D. Thomas is asked to call Lafayette police at (765) 807-1200 or the anonymous WeTip hot line at (800) 782-7463.

Thomas is described as a light-skinned white male, about 5-foot-9 and 150 pounds. He has short, blond hair.

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**January 22, 2011: Lafayette Journal and Courier**

## **2 indicted in Kory Rogers' death**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Two men indicted this week on charges of fatally shooting Kory D. Rogers at his south Lafayette home last April were after cash and marijuana, court documents allege.

A Tippecanoe Circuit Court grand jury -- the first convened in Tippecanoe County since 1995 -- returned indictments on Wednesday and Thursday against Edward C. Zaragoza, 31, of Mooresville and Jeremiah

Thompson, 28, of Reelsville.

Their combined 22 indictments were unsealed Friday afternoon by Circuit Court Judge Don Daniel.

Zaragoza and Thompson were charged with felony murder; murder; conspiracy to commit burglary; conspiracy to commit robbery; conspiracy to commit theft; burglary; attempted robbery; attempted theft; and carrying a handgun without a license while having a prior felony conviction.

Zaragoza also was charged with two counts of possession of a handgun by a serious violent felon and being a habitual offender. He was being held without bond Friday night in the Tippecanoe County Jail.

Thompson was being held on a \$100,000 surety bond for an unrelated burglary that also involved Zaragoza. That will likely be changed to no bond next week, when Thompson is expected to appear before Tippecanoe County Magistrate Norris Wang for an initial hearing on the murder charges.

According to Detective Dan Shumaker of the Lafayette Police Department, Thompson is a cousin of Zaragoza's wife.

Investigators met Friday afternoon with Rogers' family regarding the grand jury's decision, Shumaker said.

Attempts on Friday afternoon to reach Rogers' family were not successful.

Because the charges were decided by a grand jury -- rather than the Tippecanoe County prosecutor's office -- no supplemental probable cause affidavit was filed that details how Zaragoza and Thompson might be implicated in the alleged crimes.

Rogers, 21, was found dead from a gunshot wound on April 8, 2010, at his home in the 2200 block of Ottawa Drive near South 18th Street and Teal Road.

He was a student at Ivy Tech Community College and a Harrison High School graduate.

Ten days later, Zaragoza, who is originally from Lafayette, was charged with conspiring with two other men -- Clint J. Laxton of Lafayette and Wesley H. Coffey of Avondale, Ariz. -- to rob Rogers on April 5, 2010. That alleged scheme was not carried out that day.

Until this week, no one had been arrested or directly charged in Rogers' death.

Here's a summary of what investigators suspect took place, based on court documents from the case and the grand jury indictments:

Laxton and Zaragoza allegedly planned to go to Rogers' home on April 5, with Laxton pretending to be a hostage and Zaragoza holding a gun to his head.

They were reportedly after \$12,000 and two pounds of marijuana that Rogers allegedly had taken from a drug dealer in Lafayette last March 17.

The two had planned to meet at Marsh Supermarket on Teal Road -- located across the street from Rogers' neighborhood -- but Laxton never showed.

Coffey, who also is originally from the Lafayette area, was suspected of helping plan the robbery by telephone.

Investigators believe Zaragoza then recruited Thompson, and they drove to Lafayette on April 7 or 8.

The two are accused of breaking into Rogers' home through the garage and confronting Rogers. One of them was armed with a handgun, though the indictment does not specify which one.

According to discovery disclosures filed by Tippecanoe County deputy prosecutor Greg Loyd in Zaragoza's April

5 conspiracy case, Thompson is listed as a possible witness.

Evidence that the prosecutor's office might present in that case include a .40 caliber aluminum-casing handgun; a small caliber projectile; and cell phone records for Zaragoza, which could show times that he was in Lafayette.

Shumaker declined to comment on whether the grand jury investigation could result in criminal charges against other suspects. He referred that question to Prosecutor Pat Harrington.

Harrington said he is prohibited from commenting on grand jury proceedings and why one was convened in this case.

But in general, a grand jury is valuable in investigations because it can subpoena witnesses, documents and records, Harrington said.

"They're part of the process," he said. "They ask questions ... whereas a trial jury is looking at evidence to determine whether a defendant is guilty beyond reasonable doubt."

Neither Laxton or Coffey was ever charged in the April 5 robbery plot. But they were charged in connection to business burglaries in August and September 2009, based on information that came from Rogers' homicide investigation.

Laxton, 19, pleaded guilty and, as part of his agreement, must testify against Zaragoza and Coffey. He was sentenced to community corrections and spared prison.

Charges are pending against Coffey, 34.

Zaragoza and Thompson also were charged last week in connection to a break-in at a West Lafayette supermarket based on recent information provided by Coffey.

If convicted, the murder charge against them is punishable by 45 to 65 years in prison. If convicted, Zaragoza could face up to an additional 30 years for the habitual offender allegation.

Several of the remaining charges are Class A felonies. Because Rogers' death was a violent crime, charges can be stacked and consecutively served.

#### Additional Facts

#### Grand jury county's first since 1995

The grand jury that returned murder indictments this week in the shooting death of Kory D. Rogers was first convened on Oct. 22 in Tippecanoe Circuit Court.

Judge Don Daniel selected six jurors and one alternate from a pool of 20 Tippecanoe County residents.

The grand jury has been meeting since the first week of November -- though not daily -- and finished on Thursday, Daniel said. They met about a dozen times.

Jurors were paid \$40 a day, which is Tippecanoe County's standard payment for jurors. In total, Circuit Court spent \$3,765.

"It made a hole in my budget having to pay the extra jury time," Daniel said.

The judge will have to go before the Tippecanoe County Council to request additional funding for this year.

Names of the people on the grand jury were sealed by Daniel because they essentially served as investigators, he said.

According to Journal & Courier archives, a Tippecanoe County grand jury was last convened in 1995 when a former part-time deputy prosecutor was accused of beating his girlfriend.

That grand jury returned a two-count indictment, but charges were dropped in 1996 when the deputy prosecutor and his girlfriend married.

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**January 21, 2011: WLFI TV**

## **Grand Jury indicts 2 for Rogers murder**

Updated: Friday, 21 Jan 2011, 6:15 PM EST

Published : Friday, 21 Jan 2011, 3:36 PM EST

LAFAYETTE, Ind. (WLFI) - Two men have been indicted for murder by a Tippecanoe County grand jury.

31-year-old Edward Zaragoza and 28-year-old Jeremiah Thompson were both indicted on several felony charges today including murder, burglary, attempted robbery and attempted theft.

The charges were returned Wednesday and Thursday and released by the Tippecanoe County Prosecutor's Office today.

Court documents say the Grand Jury of Tippecanoe County have sufficient cause to determine Edward Zaragoza and-or Jeremiah Thompson killed Kory Rogers, while attempting to commit burglary or robbery.

The crime happened in April 2010 when Rogers was found dead of a gunshot wound inside a house at 2200 Ottawa Drive.

Zaragoza was charged in May for conspiracy to commit robbery against Rogers.

A probable cause affidavit for a separate burglary case says Thompson is Zaragoza's brother-in-law.

Rogers' murder was the first in Lafayette since 2008.

We are following this story and will bring you updates as we get more information.

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**January 20, 2011: Lafayette Journal and Courier**

## **Teen sentenced, labeled sex offender for life**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette teenager who was charged as an adult for twice having sexual intercourse with an 11-year-old girl was sentenced Wednesday to six years in prison.

Cody R. Bowman, 17, pleaded guilty in November in Tippecanoe Superior Court 2 to child molesting as a Class B felony.

Because of the girl's age, Bowman was deemed an offender against children. That means he will have to register for life as a sex offender.

"I can't really take back what I've done," Bowman told Judge Thomas Busch during Wednesday's sentencing

hearing.

"I want to try to start over in life ... . Move on, continue -- make a better person of myself."

Bowman's prison time will be followed by three years on probation. One of those years will be spent on home detention through GPS monitoring.

Tippecanoe County Deputy Prosecutor Elizabeth Goodrich said the 11-year-old is the younger sister of one of Bowman's friends and that Bowman was well aware of her age.

The sexual contact took place last spring.

Goodrich had argued for a nine-year prison sentence, followed by three years probation.

Bowman was waived on Aug. 31 from juvenile jurisdiction by Tippecanoe Superior Court 3 Judge Loretta Rush and Magistrate Faith Graham. They cited his "repetitive pattern of delinquent acts," which included adjudications for criminal mischief and being a runaway.

He received counseling, medication management, house arrest and other services in juvenile court.

Bowman also previously claimed to be associated with Imperial Gangsters, Aryan Brotherhood, Latin Kings and other gangs, according to the waiver order.

At the request of Bowman's court-appointed attorney, Mike Trueblood, Busch entered Bowman's conviction as guilty but mentally ill. That means he will receive treatment for mental illness while in the Indiana Department of Correction.

Trueblood said afterward that he could not comment on Bowman's exact mental illness but that it was based on a report submitted to the court by psychologist Jeffrey Wendt.

Wendt further determined that Bowman's "emotional maturity is far less than his chronological age," Trueblood said.

Once released from prison, Bowman also must abide by residency restrictions that prevent him from living within 1,000 feet of a school, public park or youth program center.

He will have also to participate in sex offender counseling.

Under his plea agreement, an additional count of child molesting was dropped.

He was given a combined 350 days credit for time already spent incarcerated and for good behavior.

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**January 19, 2011: Lafayette Journal and Courier**

## **3 arrested after alleged robbery in home**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Three Tippecanoe County men were arrested Sunday in connection with an alleged robbery involving a crowbar at a West Lafayette home.

No one was seriously injured.

Both Benjamin A. Pagano, 21, of West Lafayette and Nicholas L. Dutton, 22, of Lafayette were being held

Tuesday in the Tippecanoe County Jail on suspicion of robbery. Their bond amounts were raised Tuesday from \$10,000 to \$25,000.

A third suspect, Brett Pattengale, 18, of Lafayette, also was arrested Sunday. He was released overnight Monday after posting a \$10,000 surety bond.

The prosecutor's office on Tuesday requested a 72-hour hold for Pagano and Dutton while formal charges are being considered.

Their arrests stem from a robbery that took place about 6 p.m. Sunday in the 1900 block of Danielle Lane, in the Scharerdon Woods subdivision off Indiana 43 North.

According to a probable cause affidavit filed in Tippecanoe Superior Court 6, the victim -- a friend of Pagano's -- told sheriff's investigators that Pagano invited him to his mother's home to smoke marijuana.

The victim also went to repay \$10 that he borrowed from Pagano.

But after walking inside and taking out his wallet, which contained \$200 cash, two men carrying weapons ran downstairs and attacked the victim. One of them struck the victim in the hand with a crowbar.

Those men are believed to be Dutton and Pattengale.

The victim told investigators that Pagano grabbed the \$200 from the victim's hands as he tried to run away. The victim went to a nearby home for help.

Charges against Pagano and Dutton could be filed by Friday afternoon.

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**January 15, 2011: Lafayette Journal and Courier**

## **Charges filed in West Lafayette market break-in**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

Criminal charges continue to mount against a Mooresville man identified as a potential suspect in the unresolved shooting death of a Lafayette man.

Edward C. Zaragoza, 31, was charged this week in Tippecanoe Superior Court 1 with conspiracy to commit burglary, burglary and theft. All three counts are felonies.

He also was charged with being a habitual offender, which is a sentencing enhancement.

Zaragoza's brother-in-law, Jeremiah Thompson, 28, of Reelsville was charged with conspiracy to commit burglary, burglary and theft.

The charges stem from an overnight break-in on Aug. 8, 2009, at Hana Market, an Asian grocery store off U.S. 52 in West Lafayette. The suspects got away with \$500 cash.

According to a probable cause affidavit, the information came from Wesley H. Coffey, a former Lafayette man and friend of Zaragoza.

Coffey and Zaragoza are suspected of conspiring to rob homicide victim Kory D. Rogers, 21, on April 5, 2010, three days before Rogers was killed.

The prosecutor's office has previously said that Zaragoza is under investigation for Rogers death, although as of

Friday he had not been charged.

Investigators spoke with Coffey Jan. 5, after receiving information that the men were possibly involved in a still-open burglary, said Detective Dan Shumaker of the Lafayette Police Department.

According to an affidavit, Coffey also was present during that burglary. He was not charged with Zaragoza and Thompson.

Thompson was being held Friday in the Tippecanoe County Jail on a \$100,000 surety bond.

Zaragoza was being held without bond for one case, though he has three additional \$250,000 surety bonds for other criminal cases.

**January 15, 2011: Lafayette Journal and Courier**

## **Man admits letting toddler wander**

A Lafayette man has admitted that he neglected his 2-year-old daughter when the girl was found wandering outside alone and was almost struck by a truck.

Payton T. Jarrard, 25, pleaded guilty Friday in Tippecanoe Superior Court 1 to neglect of a dependent and possession of marijuana. Both counts are Class D felonies.

Jarrard will be sentenced on March 10.

His plea agreement with the Tippecanoe County prosecutor's office leaves the length of the sentence up to Superior Court 1 Judge Randy Williams.

A Class D felony carries a punishment of six months to three years incarceration.

According to court documents, the girl was found July 28 walking in the intersection at Ninth and Main streets in downtown Lafayette.

A semi driver -- after almost hitting the girl -- stopped, picked her up and called police. She was not able to say her name or where she lived.

Jarrard and his daughter lived in the 1100 block of Main Street. Lafayette officers who were searching the area went to Jarrard's building after spotting an open door.

He thought the girl was asleep.

The marijuana count stems from bags of marijuana and related items found in the apartment.

Under the plea agreement, Jarrard also will not be able to go to the food stamp office without advance permission from the office manager and only when accompanied by a pre-approved person.

The plea agreement does not explain why.

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**January 10, 2011: Lafayette Journal and Courier**

## **Man charged for animal neglect Dog in his care turned up dead**

- Kristin Maiorano

LAFAYETTE, Ind. (WLF) - A Lafayette man faces two charges of neglect of an animal, after a dog that he was allegedly planning to breed with one of his own turned up dead.

22-year-old Sergio Salazar was charged Monday in the Tippecanoe County Superior Court Five. The animal neglect charges are classified as Class A Misdemeanors.

According to court documents, Salazar met a man named Scott Drainsfield at an Indianapolis dog show, and they agreed to breed their dogs together.

Drainsfield told police he dropped his dog off at Salazar's home around December 23rd, and Salazar informed him on January 2nd that his dog was dead, due to a "freak" occurrence.

When police arrived the next day, they found the body of Drainsfield's dog in Salazar's garage, along with two other dogs who were surrounded by urine and feces and had no food or water.

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**January 8, 2011: Lafayette Journal and Courier**

## **Suspect gets 20 years for robberies**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man who was shot in the face by a police officer in 2009 was sentenced Friday to 20 years in prison for attacking and mugging random people near Riehle Plaza.

Brandon M. Winters, 21, opted not to speak during the hearing before Judge Randy Williams of Tippecanoe Superior Court 1. He instead asked his court-appointed attorney, Patrick Manahan, to comment on his behalf.

Manahan said Winters accepts full responsibility for his actions. He also noted that Winters' contact with the criminal justice system began at age 11 and was due partly to a troubled upbringing.

"Brandon is, in fact, remorseful, even though he has not told you himself, judge," Manahan said. "... He was forced to make decisions without adult supervision."

Winters pleaded guilty in November to robbery causing serious bodily injury, a Class B felony; attempted robbery, a Class C felony; and two counts of robbery, a Class C felony.

Those charges stem from three crimes that occurred during a roughly 24-hour period: two strong-arm robberies on Sept. 16, 2009, in Lafayette and West Lafayette and an attempted armed robbery on Sept. 17, 2009, in West Lafayette.

The victim in the Sept. 17 incident called 911, saying he was jumped by a man holding what appeared to be a silver gun. During his guilty plea hearing, Winters admitted to partially covering his face and making motions as though he were armed during the robbery.

Shortly after the 911 call, Winters was found hiding in bushes off Tapawingo Driver when he was shot by Officer David Smith of the West Lafayette Police Department. He was hospitalized for about two weeks for injuries to his face and neck.



Smith was cleared of any wrongdoing criminally and internally by his commanders.

Winters also pleaded guilty to possession of cocaine, a Class B felony, and to criminal recklessness, a Class C felony. The latter was in connection with a drive-by shooting on Feb. 22, 2009, in Lafayette.

During Friday's hearing, deputy prosecutor John Schafer called Winters a "danger to the community" with no regard to others.

"He is a scourge on this community, the likes of which I've never seen before ... and he did it because he thought it was fun," Schafer said. "This was not a young man who made a mistake."

Winters' plea agreement called for a 20-year prison sentence for the combined charges. Williams also ordered Winters to serve 10 years on probation afterward.

A co-defendant, Antwon Milsap, 18, of Lafayette, is scheduled to stand trial in February on similar robbery charges.

**January 8, 2011: Lafayette Journal and Courier**

## **Former Purdue student sentenced for ID theft, fraud**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A former Purdue University student was sentenced Friday to one year in prison for an elaborate scheme to obtain credit cards and financial loans using personal information that was stolen from a West Lafayette apartment complex.

Adekanmi Adewola Arojoye, 22, of Dolton, Ill., pleaded guilty in November in Tippecanoe Circuit Court to fraud on a financial institution, a Class C felony, and identity theft, a Class D felony.

Ten of the 30 apartment tenants who had their personal information stolen reported finding fraud alerts on their credit reports, according to Sean Leshney, an investigator with the Tippecanoe County prosecutor's office.

Criminal charges against Arojoye were filed based on information provided to police by a co-defendant, Dejuan P. Garner, 25, of Homewood, Ill.

Garner pleaded guilty in November 2009 in Tippecanoe Superior Court 1 to theft, admitting that he broke into Campus Suite Apartments in November 2008 and stole files that included tenants' Social Security numbers and birth dates.

As part of his plea agreement, Garner was required to provide a "cleanup statement" detailing the crime. He was given a three-year prison sentence.

Campus Suite Apartments are located off U.S. 52 West and are marketed primarily toward Purdue students.

On Friday, Arojoye admitted in court that Garner came to him with the information because of people he knew - among them, his brother and other relatives -- who were versed in identity theft crimes.

"I was not supposed to get into this," Arojoye testified.

According to court documents and court testimony, the two men applied for numerous credit cards and loans and a credit card terminal in the victims' names through made-up businesses and e-mail addresses.

They used disposable cell phones and addresses for burned or abandoned homes to try to avoid getting caught.

Because the victims' placed fraud alerts on their accounts, most of Garner and Arojoye's efforts were not

successful.

Judge Don Daniel also ordered Arojoye to serve three years on probation and complete 100 hours of community service.

**January 8, 2011: Lafayette Journal and Courier**

## **Contractor re-arrested after guilty plea**

By SOPHIA VORAVONG; [svoravong@jconline.com](mailto:svoravong@jconline.com)

A Lafayette man has admitted to committing home improvement fraud and never completing projects contracted by five Tippecanoe County homeowners, despite being paid tens of thousands of dollars.

Raymond E. Luebcke, 57, pleaded guilty Friday in Tippecanoe Superior Court 1 to corrupt business influence, a Class C felony. That carries a sentencing range of two to eight years incarceration.

Under a plea agreement with the Tippecanoe County prosecutor's office, the length of Luebcke's sentence will be left up to Judge Randy Williams. But any time served will be on probation, which could include community corrections.

Williams will decide on Feb. 11, the date of Luebcke's sentencing hearing, whether to accept the plea.

Luebcke also would have to pay restitution to the victims.

The charges stem from an investigation by the Lafayette Police Department and Tippecanoe County Sheriff's Office for scams dating between July 2007 and December 2009.

At the time, Luebcke had a business called Lester and Luebcke Home Improvement.

According to court documents, all five victims had given Luebcke money representing about one-half of the cost of what he was supposed to complete. But Luebcke never followed through.

One of them gave Luebcke a combined \$32,000 for extensive work, including repairing or replacing siding, the roof and windows. Because nothing was completed, Tippecanoe County officials warned the homeowner that his house was not safe for living and could be demolished.

After Friday's hearing, Luebcke was arrested on a warrant issued from Fountain County, where he faces similar charges.

Luebcke was being held Friday night in the Fountain County Jail without bond.